

IDAHO ADMINISTRATIVE BULLETIN

May 7, 2014 -- Volume 14-5

Idaho Department of Administration
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Preface

The Idaho Administrative Bulletin is an electronic-only, online monthly publication of the Office of the Administrative Rules Coordinator, Department of Administration, that is published pursuant to Section 67-5203, Idaho Code. The Bulletin is a compilation of all official rulemaking notices, official rule text, executive orders of the Governor, and all legislative documents affecting rules that are statutorily required to be published in the Bulletin. It may also include other rules-related documents an agency may want to make public through the Bulletin.

State agencies are required to provide public notice of all rulemaking actions and must invite public input. This is done through negotiated rulemaking procedures or after proposed rulemaking has been initiated. The public receives notice that an agency has initiated proposed rulemaking procedures through the Idaho Administrative Bulletin and a legal notice (Public Notice of Intent) that publishes in authorized 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 may 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 - Proposed Rule” for each proposed rule that is published in the Bulletin.

Once the comment period closes, the agency considers fully all comments and information submitted regarding the proposed rule. Changes may be made to the proposed rule at this stage of the rulemaking, but changes must be based on comments received and must be a “logical outgrowth” of the proposed rule. The agency may now adopt and publish the pending rule. A pending rule is “pending” legislative review for final approval. The pending rule is the agency’s final version of the rulemaking that will be forwarded to the legislature for review and final approval. 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 identified by the calendar year and issue number. For example, Bulletin **13-1** refers to the first Bulletin issued in calendar year **2013**; Bulletin **14-1** refers to the first Bulletin issued in calendar year **2014**. Volume numbers, which proceed from 1 to 12 in a given year, correspond to the months of publication, i.e.; Volume No. **13-1** refers to January 2013; Volume No. **13-2** refers to February 2013; and so forth. Example: The Bulletin published in January 2014 is cited as Volume **14-1**. The December 2014 Bulletin is cited as Volume **14-12**.

RELATIONSHIP TO THE IDAHO ADMINISTRATIVE CODE

The **Idaho Administrative Code** is an electronic-only, online compilation of all final and enforceable administrative rules of the state of Idaho that are of full force and effect. Any temporary rule that is adopted by an agency and is of force and effect is codified into the Administrative Code upon becoming effective. All pending rules that have been approved by the legislature during the legislative session as final rules and any temporary rules that are extended supplement the Administrative Code. These rules are codified into the Administrative Code upon becoming effective. Because proposed and pending rules are not enforceable, they are published in the Administrative Bulletin only and cannot be codified into the Administrative Code until approved as final.

To determine if a particular rule remains in effect or whether any amendments have been made to the rule, refer to the **Cumulative Rulemaking Index**. Link to it on 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 distinct rulemaking actions: negotiated, proposed, temporary, pending and final rulemaking. Not all rulemakings incorporate or require all 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 must, when feasible, engage in negotiated rulemaking at the beginning of the process to facilitate consensus building. 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 rule.

NEGOTIATED RULEMAKING

Negotiated rulemaking is a process in which all interested persons and the agency seek consensus on the content of a rule through dialogue. Agencies are required to conduct negotiated rulemaking whenever it is feasible to do so.

The agency files a “Notice of Intent to Promulgate - Negotiated Rulemaking” for publication in the Administrative Bulletin inviting interested persons to contact the agency if interested in discussing the agency’s intentions regarding the rule changes. This process is intended to result in the formulation of a proposed rule and the initiation of regular rulemaking procedures. One result, however, may also be that regular (proposed) rulemaking is not initiated and no further action is taken by the agency.

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 for or is occasioning 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) if any document is incorporated by reference in the proposed rule, a brief written synopsis of why the incorporation is needed must be included in the notice of proposed rulemaking, along with a link to the electronic version of the incorporated material or information on how it can be obtained.
- e) the text of the proposed rule prepared in legislative format;
- f) the location, date, and time of any public hearings the agency intends to hold on the proposed rule;
- g) 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;
- h) the manner in which persons may request an opportunity for an oral presentation as provided in Section 67-5222, Idaho Code; and
- i) 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 Legislative Services Office 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 web site or post this information on its own web site, or both. This link can be placed into the rule and activated once it is posted on the Coordinator’s web site.

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 adopt the pending rule. Because a proposed rule is not enforceable, it has no effective date, even when published in conjunction with a temporary rule that is of full force and effect. 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 determines that it is necessary that a rule become effective prior to receiving legislative authorization and without allowing for any public input, the agency may proceed and adopt a temporary rule. The law allows an 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 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.

The statute that regulates rulemaking in Idaho requires that the text of all proposed rulemakings publish in the Bulletin in order for the rulemaking to be valid. This is true for all temporary rules as well. In most cases, the agency wants the temporary rule to also become a final rule and in most of these cases, the temporary rule and the proposed rule text is identical. In this event, both rulemakings may be promulgated concurrently, however, they remain separate rulemaking actions. The rulemaking is published in the Bulletin as a temporary/proposed rule. Combining the rulemaking allows for a single publication of the text in the Bulletin.

An agency may, at any time, rescind a temporary rule that has been adopted and is in effect. The agency must publish a notice of rescission to effectively rescind the temporary rule. 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 pending 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 sections or their subparts 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 Rulemaking - Adoption of Pending Rule" is published.

FINAL RULEMAKING

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

No pending rule adopted by an agency becomes final and effective until it has been submitted to the legislature for review and approval. Where the legislature finds that an agency has violated the legislative intent of the authorizing statute, a concurrent resolution may be adopted to reject the rulemaking in whole or in part. A "Notice of Rulemaking - Final Rule" and the final codified text must be published in the Bulletin for any rule that is partially rejected by concurrent resolution of the legislature. Unless rejected by concurrent resolution, a pending rule that is reviewed by the legislature becomes final and effective at the end of the session in which it is reviewed without any further legislative action. All pending rules that are approved by concurrent resolution become final and effective upon adoption of the concurrent resolution unless otherwise stated. In no event can a pending rule 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 schematic. 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 that are further subdivided into 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. Each rulemaking that is filed with the Coordinator is assigned a “DOCKET NUMBER.” The docket number is a series of numbers separated by a hyphen “-”, (**38-0501-1401**). Rulemaking dockets are published sequentially by IDAPA number (the two-digit agency code) in the Bulletin. The following example is a breakdown of a typical rule docket number:

“DOCKET NO. 38-0501-1401”

“**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**).

“**1401**” 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 2014**. A subsequent rulemaking on this same rule chapter in calendar year 2014 would be designated as “**1402**”. The docket number in this scenario would be 38-0501-**1402**.

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)

BULLETIN PUBLICATION SCHEDULE FOR CALENDAR YEAR 2014

Vol. No.	Monthly Issue of Bulletin	Closing Date for Agency Filing	Publication Date	21-day Comment Period End Date
14-1	January 2014	*November 29, 2013	January 1, 2014	January 22, 2014
14-2	February 2014	January 10, 2014	February 5, 2014	February 26, 2014
14-3	March 2014	February 7, 2014	March 5, 2014	March 26, 2014
14-4	April 2014	March 7, 2014	April 2, 2014	April 23, 2014
14-5	May 2014	April 4, 2014	May 7, 2014	May 28, 2014
14-6	June 2014	May 9, 2014	June 4, 2014	June 25, 2014
14-7	July 2014	June 6, 2014	July 2, 2014	July 23, 2014
14-8	August 2014	July 11, 2014	August 6, 2014	August 27, 2014
14-9	September 2014	August 8, 2014	September 3, 2014	September 24, 2014
14-10	October 2014	**August 29, 2014	October 1, 2014	October 22, 2014
14-11	November 2014	October 10, 2014	November 5, 2014	November 26, 2014
14-12	December 2014	November 7, 2014	December 3, 2014	December 24, 2014

BULLETIN PUBLICATION SCHEDULE FOR CALENDAR YEAR 2015

Vol. No.	Monthly Issue of Bulletin	Closing Date for Agency Filing	Publication Date	21-day Comment Period End Date
15-1	January 2015	*November 28, 2014	January 7, 2015	January 28, 2015
15-2	February 2015	January 9, 2015	February 4, 2015	February 25, 2015
15-3	March 2015	February 6, 2015	March 4, 2015	March 25, 2015
15-4	April 2015	March 6, 2015	April 1, 2015	April 22, 2015
15-5	May 2015	April 3, 2015	May 6, 2015	May 27, 2015
15-6	June 2015	May 8, 2015	June 3, 2015	June 24, 2015
15-7	July 2015	June 5, 2015	July 1, 2015	July 22, 2015
15-8	August 2015	July 10, 2015	August 5, 2015	August 26, 2015
15-9	September 2015	August 7, 2015	September 2, 2015	September 23, 2015
15-10	October 2015	**August 28, 2015	October 7, 2015	October 28, 2015
15-11	November 2015	October 9, 2015	November 4, 2015	November 25, 2015
15-12	December 2015	November 6, 2015	December 2, 2015	December 23, 2015

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

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

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IDAPA 60	Soil and Water Conservation Commission, Idaho State

ALPHABETICAL INDEX OF STATE AGENCIES AND CORRESPONDING IDAPA NUMBERS	
IDAPA 36	Tax Appeals, Board of
IDAPA 35	Tax Commission, State
IDAPA 39	Transportation Department, Idaho
IDAPA 54	Treasurer, Office of the State
IDAPA 21	Veterans Services, Division of
IDAPA 46	Veterinary Medical Examiners, Board of
IDAPA 47	Vocational Rehabilitation, Division of
IDAPA 37	Water Resources, Department of
IDAPA 42	Wheat Commission

THE OFFICE OF THE GOVERNOR

**EXECUTIVE DEPARTMENT
STATE OF IDAHO
BOISE**

EXECUTIVE ORDER NO. 2014-02

ESTABLISHING THE IDAHO HEALTHCARE COALITION

WHEREAS, Executive Order 2010-15 established the Governor's Idaho Health Care Council to effectuate the implementation of State health care initiatives; and

WHEREAS, Executive Order 2010-15 acknowledged the need for the State of Idaho to prepare and develop a plan to effectively address health care delivery; and

WHEREAS, the Idaho Health Care Council was directed to identify short-and long-range opportunities and issues created by the enactment of health care reform; and

WHEREAS, Executive Order 2010-10 established the Idaho Medical Home Collaborative (Collaborative) to implement a patient-centered medical home (PCMH) model of care to address the transformation of Idaho's health care system to a PCMH model; and

WHEREAS, the Collaborative launched a PCMH Pilot in January 2013 that implements guidelines for a PCMH model, a common definition of PCMH, PCMH qualifications, standards, and eligibility criteria, and common payment formulas for PCMH providers; and

WHEREAS, the work of the Collaborative provided the foundation for development of a State Healthcare Innovation Plan (SHIP) which outlines a blueprint for redesigning Idaho's healthcare system; and

WHEREAS, the executive order establishing the Collaborative sunsets in 2014, the important work of the Collaborative in guiding the transformation of primary care to the medical home model will continue to advise the SHIP within the auspices of the to-be-established Idaho Healthcare Coalition; and

WHEREAS, the SHIP identifies the need to redesign Idaho's healthcare system to integrate and coordinate care across all healthcare services in the State, yielding cost efficiencies and improved population health; and

WHEREAS, the SHIP details how Idaho's healthcare system today is defined by severe workforce shortages across healthcare professions, limiting access to services; and

WHEREAS, the SHIP finds that many primary care practices are without the resources and supports needed to implement quality initiatives, adopt advanced health information technology, at times resulting in inefficient care; and

WHEREAS, the SHIP describes a current payment system that pays for volume of services and does not incentivize or reward quality care, resulting in ever-rising healthcare costs; and

WHEREAS, the SHIP prioritizes building a robust primary care system statewide through the delivery of services in a patient-centered medical home (PCMH) model of patient-centered, team-based care, coordinated with the extended medical neighborhood-that includes secondary and tertiary care consultants, hospitals, behavioral health, and other community support services; and

WHEREAS, the SHIP identifies the differing needs of primary care providers in both rural and urban areas of the state and recommends development of specific resources to address those varying needs; and

WHEREAS, the SHIP acknowledges the flaws of the current competitive market fee-for-service model of reimbursement and the need to shift to a reimbursement system that promotes and rewards quality; and

WHEREAS, in the transformation of the healthcare system to a well-integrated model that focuses on patient health outcomes, a high degree of coordination and collaboration between providers, payers and consumers of healthcare services is necessary to achieve the goal of developing an integrated, coordinated, efficient and economical healthcare system; and

WHEREAS, the state of Idaho has an interest in health care costs and finds that collaboration will promote quality and slow the rise of health care costs, and is in the best interest of the public; and

WHEREAS, the SHIP recommends creating a voluntary system that promotes primary care practice advancement under the PCMH model while respecting the long-standing culture in Idaho of provider and payer autonomy.

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

- 1. The IHC is charged with expanding on the work of the Idaho Health Care Council by leading development of an integrated, coordinated healthcare system in Idaho that focuses on improved population health, improved individual health outcomes and cost efficiencies.*
- 2. The Department of Health and Welfare, an agency of the State of Idaho, will actively supervise and oversee the activities of the IHC.*
- 3. Members of the IHC shall be appointed by and serve at the pleasure of the Governor and include representatives from the Idaho Health Care Council, the Idaho Medical Home Collaborative, and others from the healthcare provider community, private and public payers, policy makers, and consumers.*
- 4. The Chair of the IHC shall be appointed by the Governor from its members.*
- 5. The IHC shall:*
 - a. facilitate and support the transformation of primary care practices to the PCMH model;*
 - b. develop regional collaboratives to support local practices in transformation and integration of PCMHs with the medical neighborhood that includes secondary and tertiary care consultants, hospitals, behavioral health, and other community support services;*
 - c. recognize the critical issues related to Idaho's healthcare provider workforce shortage and work closely with the Idaho Health Professions Education Council, established by executive order in 2009, to ensure that SHIP activities align with the Council's workforce development strategies;*
 - d. establish quality outcome measures and methods to collect and analyze individual patient and population health outcomes;*
 - e. advance primary care payment methods that align with the PCMH model, encouraging public and private payers to reimburse for improved health outcomes rather than volume of visits;*
 - f. provide guidance to expand health information technology (HIT) at the practice level, enhancing PCMHs' use of electronic health records (EHRs), enabling the coordination of care for patients between providers using interoperable technology connections, reducing the cost and redundancies found in the current healthcare delivery system and, at the state level, compiling population health data for quality measurement and improvement;*
 - g. develop a long-range plan for sustainability and growth of Idaho's transformed healthcare system; and*
- 6. The IHC shall provide quarterly progress reports, through the Department of Health and Welfare to the Governor.*
- 7. This EO will be effective for 2 years.*



IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho in Boise on this 25th day of February in the year of our Lord two thousand and fourteen, and of the Independence of the United States of America the two hundred thirty-eight and of the Statehood of Idaho the one hundred twenty-fourth.

C.L. "BUTCH" OTTER
GOVERNOR

BEN YSURSA
SECRETARY OF STATE

THE OFFICE OF THE GOVERNOR

**EXECUTIVE DEPARTMENT
STATE OF IDAHO
BOISE**

EXECUTIVE ORDER NO. 2014-03

**ESTABLISHING ANNUAL REPORTING REQUIREMENTS FOR STATE AGENCIES RECEIVING
FEDERAL FUNDS**

WHEREAS, an open and transparent government is fundamental to the perpetual success of a republic; and

WHEREAS, federal funds awarded to state agencies themselves or as pass-through funds to local units of government now constitute a significant portion of state expenditures; and

WHEREAS, to ignore these funds would greatly undermine the authority of the Legislature to appropriate monies; and

WHEREAS, It is the responsibility of state government to be prepared for a possible disruption or reduction in funding; and

WHEREAS, it is imperative that elected officials review and understand details of grants being awarded, measure the effectiveness and necessity of federally funded programs and act in the best interest of constituents; and

WHEREAS, there is no existing mechanism to receive this data from state agencies annually;

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 as follows:

- 1. State agencies of the executive branch shall, each year, along with their annual performance reports as required by Idaho Code 67-1904, prepare and submit to the Division of Financial Management a report that:*
 - a. Delineates the federal funds the state agency received for the preceding fiscal year;*
 - b. Delineates the federal funds to be utilized by the state agency for the current and upcoming fiscal year. The report shall include federal funds appropriated by the Legislature, federal funds continuously appropriated and any programs supported by federal funds, the loss of which may impact the continuity or delivery of services;*
 - c. Identifies any obligations, agreements, joint exercise of powers agreements or memoranda of understanding that may be impacted by federal or state decisions regarding federal receipts.*
 - d. Calculates the percentage that constitutes federal funds to the total appropriation for the state agency for the fiscal year; and*
 - e. Includes appropriate documentation, provided by the Division of Financial Management, describing the agency's plan for operating if there is a reduction of ten percent (10%) or more in the federal funds that the state agency receives.*
 - f. The Division of Financial Management shall include in the annual executive budget recommendation a report that:*
 - i. Compiles and summarizes the reports the Division of Financial Management receives in accordance with this Executive Order.*
 - ii. Compares the aggregate value of federal receipts each designated agency received for the previous fiscal year to the aggregate amount of federal funds to the total budget of the state agency for the fiscal year.*
- 2. As used in this executive order:*

- a. *“State agency” shall mean all departments, boards and commissions of the executive branch, including the Office of the Governor, which shall be the only elected constitutional office subject to this order.*
- b. *Federal funds shall mean any financial assistance made to a state agency by the United States government, or any agency thereof, whether a contract, grant subsidy, augmentation, reimbursement or in any other form.*
- c. *Federal project shall mean an undertaking, program or activity by a state agency supported in whole or in part by federal funds.*



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 20thday of March, in the year of our Lord two thousand and fourteenth, and of the independence of the United States of America the two hundred thirty-eight and of the Statehood of Idaho the one hundred twenty-fourth.

C.L. "BUTCH" OTTER
GOVERNOR

BEN YSURSA
SECRETARY OF STATE

THE OFFICE OF THE GOVERNOR

**EXECUTIVE DEPARTMENT
STATE OF IDAHO
BOISE**

EXECUTIVE ORDER NO. 2014-04

ESTABLISHING A PUBLIC RECORDS OMBUDSMAN WITHIN THE OFFICE OF THE GOVERNOR

WHEREAS, an open and transparent government is fundamental to the perpetual success of a republic; and

WHEREAS, every person has a right to examine and take a copy of any public record of this state and there is a presumption that all public records in Idaho are open at all reasonable times for inspection except as otherwise expressly provided by statute; and

WHEREAS, our citizens, in creating the instruments of government that serve them, do not yield sovereignty to the agencies so created; and

WHEREAS, resolution of disputes through the courts between state agencies and citizens requesting public information can be time consuming and costly; and

WHEREAS, the Office of the Governor wants to lead by example in establishing a Public Records Ombudsman and encourages units of local government to evaluate and if appropriate implement a similar process;

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. The creation of the "Idaho Public Records Ombudsman" ("Ombudsman") within the Office of the Governor;*
- 2. The Governor shall appoint the public records Ombudsman, who shall be an attorney duly licensed to practice law in the state of Idaho and serve at the pleasure of the Governor;*
- 3. The Ombudsman shall:*
 - a. Ensure all executive branch agencies', departments' and offices' ("agency or agencies") policies and practices concerning public record disclosure are consistent;*
 - b. Collect information concerning the number of denials by agency, reasons for denying the request, costs associated with every request received by an agency (including denials and approvals) and total costs of compliance with the public records act by agency;*
 - c. Compile concerns and complaints from individuals about agency policies, processes and decisions denying access to public records, and maintain a repository of concerns and complaints;*
 - d. Provide a report to the Governor on an annual basis with the information gathered under this executive order, which will be made public no later than December 30;*
 - e. Work with agencies, stakeholders and the public to provide recommendations to the Governor for improving public record disclosure policies and laws, including but not limited to, legislation to incorporate a review process at the state and local level prior to or in lieu of litigation; and*
- 4. This executive order shall only apply to agencies, boards, commissions, departments and offices of the executive branch of state government, including the office of the Governor. It shall not apply to other constitutional officers, their offices, the legislature or judiciary.*



IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho in Boise on this 23rd day of April in the year of our Lord two thousand and fourteen, and of the Independence of the United States of America the two hundred thirty-eight and of the Statehood of Idaho the one hundred twenty-fourth.

C.L. "BUTCH" OTTER
GOVERNOR

BEN YSURSA
SECRETARY OF STATE

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

**ADMINISTRATIVE RULES REVIEWED BY THE SIXTY-SECOND
LEGISLATURE OF THE STATE OF IDAHO
SECOND REGULAR SESSION - 2014**

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

AUTHORITY: In compliance with Sections 67-5224(5), 67-5224(7), 67-5226(3), and 67-5291, Idaho Code, the Administrative Rules Coordinator hereby gives notice that the Sixty-Second Legislature in the Second Regular Session - 2014, completed its review of certain administrative rules and took the following action:

It has reviewed the pending rules submitted for review and final approval and has rejected, by concurrent resolution, all or parts of any pending rules that do not meet legislative intent; it has reviewed and approved, by concurrent resolution, pending fees rules, with exceptions; and it has reviewed and approved, by concurrent resolution, certain temporary rules that continue to be of full force and effect.

Also, notice is hereby given that certain previously approved final rules were rejected by concurrent resolution of the legislature. These rules are null, void and of no force and effect.

DESCRIPTIVE SUMMARY: The following lists include those rules that were reviewed as pending, pending fee, temporary or final rules during the Second Regular Session of the Sixty-Second Legislature of the state of Idaho, 2014.

All pending rules reviewed by the legislature that were not rejected in whole or in part have been approved and are now final and of full force and effect, unless otherwise specified in the rule. Any pending rule that was rejected in whole or in part is listed in this notice with the corresponding house or senate concurrent resolution affecting it. Pending rule dockets that were rejected in whole, and those parts of a pending rule that were rejected in part, are null, void and of no force and effect. Those pending rules that were partially rejected by concurrent resolution are being reprinted in this Bulletin in their final, codified version. Those rulemakings that were acted on by concurrent resolution became final and effective upon final adoption of the concurrent resolution and are of full force and effect, unless otherwise specified in the rule. The concurrent resolutions affecting the rules that were reviewed during the 2014 legislative session are also printed in this Bulletin.

In accordance with Section 67-5224(5)(c), Idaho Code, all pending rules imposing or changing a fee or charge that were approved by [Senate Concurrent Resolution No. 147](#) are now final rules and became effective upon adoption of the concurrent resolution, unless another effective date has been specified in the pending rule. Pursuant to SCR 147 those pending fee rules that were rejected in their entirety, and those parts of any pending fee rule that were rejected, are null, void and of no force and effect.

In accordance with Section 67-5226(3), Idaho Code, all temporary rules that were submitted for extension have been reviewed and approved by [Senate Concurrent Resolution No. 148](#). As specified in the concurrent resolution, all temporary rules that were reviewed and approved will continue to be of full force and effect until the end of the next legislative session unless they expire under their own terms or other provision of law or are rescinded.

TEMPORARY, PENDING, PENDING FEE AND FINAL RULES: The following tables list all pending and temporary rulemakings that were submitted for legislative review for the 2014 legislative session and any previously approved final rules that were acted on. The list includes the docket number of each pending and temporary rulemaking, the volume number of the Bulletin in which the proposed, pending, and temporary rule notices and text were published, the final effective dates of all approved pending rules, the effective dates of any temporary rules, and the number of the senate or house concurrent resolution, if applicable, affecting the rulemaking. These tables provide final status of all pending, pending fee and temporary rules submitted for legislative review. Final rules that were acted on by concurrent resolution are not assigned a docket number because they were not subject to a rulemaking and are listed by their IDAPA number only.

TEMPORARY RULES				
AFFECTED BY SENATE CONCURRENT RESOLUTION 148				
Temporary Rule Docket Number	Bulletin Vol. No.	Temporary Effective Date	Rejected Rule	Action Taken in SCR 148
16-0304-1301	13-10	(11-1-13)T		Approved
16-0612-1401	14-1	(11-1-13)T		Approved
59-0103-1401	14-1	(10-15-13)T		Approved

PENDING FEE RULES				
AFFECTED BY SENATE CONCURRENT RESOLUTION 147				
Fee Rule Docket Number	Bulletin Vol. No. Pending	Bulletin Vol. No. Proposed	Final Effective Date	Action Taken in SCR 147
02-0214-1301	13-11	13-9	(3-20-14)	Approved
02-0625-1301	13-12	13-10	(3-20-14)	Approved
08-0203-1304	13-12	13-8	(3-20-14)	Approved
11-1001-1301	14-1	13-10	(3-20-14)	Approved
16-0506-1301	13-11	13-8	(3-20-14)	Approved
16-0601-1302	14-1	13-9	(3-20-14)	Approved
19-0101-1301	13-12	13-10	(3-20-14)	Approved
24-0401-1301	13-12	13-10	(3-20-14)	Approved
24-0501-1302	13-12	13-10	(3-20-14)	Approved
24-0701-1301	13-12	13-9	(3-20-14)	Approved
24-1101-1301	13-12	13-10	(3-20-14)	Approved
24-1301-1302	13-12	13-8	(3-20-14)	Approved
24-2601-1301	13-12	13-10	(3-20-14)	Approved
26-0120-1301	14-1	13-10	(7-1-14)	Approved
26-0120-1302	14-1	13-10	(7-1-14)	Approved
57-0101-1202	14-1	13-10	(3-20-14)	Approved

PENDING RULES AND FINAL RULES REVIEWED BY THE 2014 IDAHO LEGISLATURE					
Docket Number	Bulletin Vol. No. Pending	Bulletin Vol. No. Proposed	Final Rule Effective Date	Action Taken and Rejected Rule	Concurrent Resolution Number
02-0214-1302	13-9	13-7	(3-20-14)	Approved	---
02-0303-1301	13-11	13-9	(3-20-14)	Approved	---
02-0303-1302	13-11	13-9	(3-20-14)	Approved	---
02-0419-1301	13-9	13-7	(3-20-14)	Approved	---
02-0420-1301	13-11	13-9	(3-20-14)	Approved	---
02-0421-1301	13-11	13-9	(3-20-14)	Approved	---
02-0602-1301	03-9	13-6	(3-20-14)	Approved	---
02-0609-1301	13-12	13-8	(3-20-14)	Approved	---
02-0612-1301	13-9	13-6	(3-20-14)	Approved	---
02-0613-1301	13-11	13-9	(3-20-14)	Approved	---
02-0622-1301	13-10	13-8	(3-20-14)	Approved	---
02-0623-1301	13-10	13-8	Rejected	Rejected All	SCR 136
02-0641-1301	13-9	13-6	(3-20-14)	Approved	---
05-0102-1301	13-12	13-10	(3-20-14)	Approved	---
07-0106-1301	13-12	13-10	(3-20-14)	Approved	---
07-0110-1301	13-12	13-10	(3-20-14)	Approved	---
07-0301-1301	13-11	13-9	(3-20-14)	Approved	---
07-0301-1302	13-11	13-9	(3-20-14)	Approved	---
07-0301-1303	13-11	13-9	(3-20-14)	Approved	---
07-0301-1304	13-11	13-9	(3-20-14)	Approved	---
07-0311-1301	13-11	13-9	(3-20-14)	Approved	---
07-0501-1301	13-12	13-10	(3-20-14)	Approved	---
07-0701-1301	13-12	13-10	(3-20-14)	Approved	---
08-0105-1301	13-12	13-8	(3-20-14)	Approved	---
08-0106-1301	13-12	13-8	(3-20-14)	Approved	---
08-0109-1301	13-12	13-8	(3-20-14)	Approved	---
08-0112-1301	13-12	13-8	(3-20-14)	Approved	---
08-0113-1301	13-12	13-8	(3-20-14)	Approved	---
08-0201-1301	13-6	13-1	(3-20-14)	Approved	---
08-0201-1302	13-12	13-10	(3-20-14)	Approved	---

PENDING RULES AND FINAL RULES REVIEWED BY THE 2014 IDAHO LEGISLATURE					
Docket Number	Bulletin Vol. No. Pending	Bulletin Vol. No. Proposed	Final Rule Effective Date	Action Taken and Rejected Rule	Concurrent Resolution Number
08-0202-1301	13-10	13-6	(3-20-14)	Approved	---
08-0202-1302	13-12	13-8	(3-20-14)	Approved	---
08-0202-1303	13-12	13-8	(3-20-14)	Approved	---
08-0202-1304	13-12	13-8	(3-20-14)	Approved	---
08-0202-1305	13-12	13-8	(3-20-14)	Approved	---
08-0202-1306	13-12	13-10	(3-20-14)	Approved	---
08-0202-1307	13-12	13-10	(3-20-14)	Approved	---
08-0202-1308	13-12	13-10	(3-12-14)	Partial Rejection: 023.03	HCR 55
08-0203-1301	13-12	13-10	(3-20-14)	Approved	---
08-0203-1303	13-12	13-8	(3-20-14)	Approved	---
08-0203-1306	13-12	13-10	(3-12-14)	Partial Rejection: 104.01a. and 104.02.c	HCR 54
08-0203-1307	13-12	13-10	(3-20-14)	Approved	---
08-0204-1301	13-12	13-8	(3-20-14)	Approved	---
08-0301-1301	13-12	13-8	(3-20-14)	Approved	---
09-0130-1301	13-11	13-9	(3-20-14)	Approved	---
09-0135-1301	13-11	13-9	(3-20-14)	Approved	---
10-0101-1301	13-9	13-7	Rejected	Rejected All	SCR 138
10-0102-1301	13-9	13-7	(3-20-14)	Approved	---
10-0104-1301	13-9	13-7	(3-20-14)	Approved	---
11-0402-1301	14-1	13-8	(3-20-14)	Approved	---
11-0411-1301	14-1	13-8	(3-20-14)	Approved	---
11-1002-1301	14-1	13-10	(3-20-14)	Approved	---
11-1101-1301	13-11	13-9	(3-20-14)	Approved	---
13-0108-1302	14-1	13-10	(3-20-14)	Approved	---
13-0108-1303	14-1	13-10	(3-20-14)	Approved	---
13-0109-1301	14-1	13-10	(3-20-14)	Approved	---
13-0111-1301	14-1	13-10	(3-20-14)	Approved	---
13-0111-1302	14-1	13-10	(3-20-14)	Approved	---
14-0101-1301	13-12	13-10	(3-20-14)	Approved	---

PENDING RULES AND FINAL RULES REVIEWED BY THE 2014 IDAHO LEGISLATURE					
Docket Number	Bulletin Vol. No. Pending	Bulletin Vol. No. Proposed	Final Rule Effective Date	Action Taken and Rejected Rule	Concurrent Resolution Number
15-0401-1302	14-1	13-9	(3-20-14)	Approved	---
15-0603-1301	13-12	13-10	(3-20-14)	Approved	---
15-0604-1301	13-12	13-10	(3-20-14)	Approved	---
15-1301-1301	13-12	13-10	(3-20-14)	Approved	---
16-0101-1301	14-1	13-8	(7-1-14)	Approved	---
16-0102-1301	14-1	13-8	(7-1-14)	Approved	---
16-0103-1301	14-1	13-8	(7-1-14)	Approved	---
16-0107-1301	14-1	13-8	(7-1-14)	Approved	---
16-0112-1301	14-1	13-8	(7-1-14)	Approved	---
16-0202-1301	14-1	13-7	(7-1-14)	Approved	---
16-0203-1301	14-1	13-8	(7-1-14)	Approved	---
16-0301-1301	14-1	13-10	(3-20-14)	Approved	---
16-0301-1302	14-1	13-10	(3-20-14)	Approved	---
16-0304-1301	14-1	13-10	(7-1-14)	Approved	---
16-0305-1301	14-1	13-10	(3-20-14)	Approved	---
16-0306-1301	14-1	13-10	(3-20-14)	Approved	---
16-0309-1301	13-11	13-8	(3-20-14)	Approved	---
16-0309-1302	14-1	13-10	(3-20-14)	Approved	---
16-0309-1303	14-1	13-10	(3-20-14)	Approved	---
16-0310-1301	13-11	13-8	(3-20-14)	Approved	---
16-0315-1301	14-1	13-6	(3-20-14)	Approved	---
16-0402-1301	13-11	13-7	(3-20-14)	Approved	---
16-0501-1301	14-1	13-9	(7-1-14)	Approved	---
16-0504-1301	14-1	13-10	(7-1-14)	Approved	---
16-0506-1302	14-1	13-9	(7-1-14)	Approved	---
16-0507-1301	14-1	13-10	(3-20-14)	Approved	---
16-0601-1301	13-11	13-6	(3-20-14)	Approved	---
16-0612-1301	14-1	13-9	(3-20-14)	Approved	---
16-0612-1302	14-1	13-11	(3-20-14)	Approved	---
16-0717-1301	14-1	13-9	(7-1-14)	Approved	---
16-0720-1301	14-1	13-9	(7-1-14)	Approved	---

PENDING RULES AND FINAL RULES REVIEWED BY THE 2014 IDAHO LEGISLATURE					
Docket Number	Bulletin Vol. No. Pending	Bulletin Vol. No. Proposed	Final Rule Effective Date	Action Taken and Rejected Rule	Concurrent Resolution Number
16-0730-1301	14-1	13-10	(7-1-14)	Approved	---
16-0733-1301	13-12	13-9	(7-1-14)	Approved	---
17-0209-1301	13-12	13-10	(3-20-14)	Approved	---
17-0210-1301	14-1	13-10	(3-20-14)	Approved	---
17-0211-1301	14-1	13-10	(3-20-14)	Approved	---
18-0104-1301	13-11	13-9	(3-20-14)	Approved	---
18-0123-1301	13-12	13-10	(3-20-14)	Approved	---
18-0150-1301	13-12	13-10	(3-20-14)	Approved	---
20-0201-1301	14-1	13-9	(3-20-14)	Approved	---
21-0102-1301	13-12	13-10	(3-20-14)	Approved	---
21-0108-1301	13-12	13-10	(3-20-14)	Approved	---
22-0103-1301	13-12	13-10	(3-20-14)	Approved	---
22-0113-1301	13-12	13-10	(3-20-14)	Approved	---
23-0101-1301	13-11	13-9	(3-20-14)	Approved	---
23-0101-1302	13-12	13-10	(3-20-14)	Approved	---
24-0201-1301	13-12	13-10	(3-20-14)	Approved	---
24-0601-1301	13-12	13-9	(3-20-14)	Approved	---
24-0801-1301	13-12	13-9	(3-20-14)	Approved	---
24-1301-1301	13-12	13-8	(3-20-14)	Approved	---
24-1401-1301	13-12	13-9	(3-20-14)	Approved	---
24-1801-1301	13-12	13-10	(3-20-14)	Approved	---
24-2501-1301	13-12	13-7	(3-20-14)	Approved	---
25-0101-1201	14-1	13-10	Rejected	Rejected All	SCR 133
27-0101-1207	13-12	13-10	(3-20-14)	Approved	---
27-0101-1301	13-12	13-10	Rejected	Rejected All	HCR 42
27-0101-1302	13-12	13-10	(3-20-14)	Approved	---
28-0207-1301	14-1	13-10	(3-20-14)	Approved	---
28-0301-1301	14-1	13-9	(3-20-14)	Approved	---
28-0304-1301	14-1	13-9	(3-20-14)	Approved	---
31-0101-1301	13-12	13-10	(2-15-14)	Approved	---
31-7103-1301	13-12	13-10	(3-20-14)	Approved	---

PENDING RULES AND FINAL RULES REVIEWED BY THE 2014 IDAHO LEGISLATURE					
Docket Number	Bulletin Vol. No. Pending	Bulletin Vol. No. Proposed	Final Rule Effective Date	Action Taken and Rejected Rule	Concurrent Resolution Number
33-0101-1301	13-12	13-8	(3-20-14)	Approved	---
34-0601-1301	13-9	13-7	(3-20-14)	Approved	---
35-0101-1301	14-1	13-10	(3-20-14)	Approved	---
35-0101-1302	14-1	13-10	(3-20-14)	Approved	---
35-0101-1303	14-1	13-11	(3-20-14)	Approved	---
35-0102-1302	14-1	13-10	(3-20-14)	Approved	---
35-0103-1302	14-1	13-10	(3-20-14)	Partial Rejection: 205	HCR 61
35-0105-1301	13-11	13-9	(3-20-14)	Approved	---
35-0109-1301	14-1	13-10	(3-20-14)	Approved	---
35-0110-1301	14-1	13-10	(3-20-14)	Approved	---
35-0114-1301	14-1	13-10	(3-20-14)	Approved	---
35-0201-1301	14-1	13-10	(3-20-14)	Approved	---
35-0201-1302	14-1	13-10	(3-20-14)	Approved	---
35-0201-1303	14-1	13-11	(3-20-14)	Approved	---
38-0406-1301	13-7	13-5	(3-18-14)	Partial Rejection: Final Rule - 200.03, 400.01 and 400.03; Pending Rule - 201, 400.01 and 400.03	HCR 48
38-0408-1301	13-7	13-5	(3-18-14)	Partial Rejection: Final Rule - 200.03, 400.07, 500.01 and 500.03; Pending Rule - 201, 500.01 and 500.03	HCR 47
39-0260-1301	14-1	13-10	(3-20-14)	Approved	---
39-0271-1301	14-1	13-9	(1-1-14)	Approved	---
39-0312-1301	14-1	13-9	(3-20-14)	Approved	---
39-0315-1301	14-1	13-8	(3-20-14)	Approved	---
39-0322-1301	14-1	13-8	(7-1-13)	Approved	---
39-0322-1302	14-1	13-8	(4-1-14)	Approved	---
39-0323-1301	14-1	13-8	(3-20-14)	Approved	---

PENDING RULES AND FINAL RULES					
REVIEWED BY THE 2014 IDAHO LEGISLATURE					
Docket Number	Bulletin Vol. No. Pending	Bulletin Vol. No. Proposed	Final Rule Effective Date	Action Taken and Rejected Rule	Concurrent Resolution Number
39-0350-1301	14-1	13-10	(3-6-14)	Partial Rejection: Final Rule 200.05 only; Pending Rule 200.04, 05, & 06	HCR 44
39-0402-1301	14-1	13-10	(3-20-14)	Approved	---
39-0404-1301	14-1	13-10	(3-20-14)	Approved	---
46-0101-1301	13-11	13-9	(3-20-14)	Approved	---
46-0101-1302	13-11	13-9	(3-20-14)	Approved	---
52-0102-1301	13-12	13-10	(3-20-14)	Approved	---
53-0101-1301	14-1	13-11	(3-20-14)	Approved	---
57-0101-1201	14-1	13-10	(3-20-14)	Approved	---
58-0101-1301	13-11	13-8	(3-20-14)	Approved	---
59-0106-1301	13-11	13-9	(3-20-14)	Approved	---

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

**HISTORY NOTES INDEX OF ADMINISTRATIVE RULES REVIEWED AND APPROVED
FOR FINAL ADOPTION DURING THE 2014 SECOND REGULAR SESSION
OF THE SIXTY-SECOND LEGISLATURE OF THE STATE OF IDAHO**

The following table lists all pending rulemakings that were reviewed during the 2014 legislative session and shows the individual rule sections that were affected by these rulemakings. The table includes the docket number of affected chapters, the amended section numbers, the Bulletin publication volumes, and the final effective date of the rule.

If the rule was affected (approved or rejected) by concurrent resolution, the resolution number is listed. If a section or subsection of the pending rule or a final rule was rejected by concurrent resolution, the affected section(s) are listed as rejected. The rejection of an amended section (pending rule) means the previously codified rule remains unchanged.

Effective dates for the pending rules reviewed and approved by the 2014 Idaho Legislature are as follows:

Pending Rules (non-fee): effective date - March 20, 2014 (3-20-14), unless otherwise specified in the pending rule.

Pending Fee Rules adopted or partially rejected by [SCR 147](#): effective date - March 20, 2014 (3-20-14).

Pending Rules that were partially rejected by Concurrent Resolution are effective upon adoption of the Concurrent Resolution by the Legislature or as specified in the Pending Rule.

<i>History Notes - Legislative Session 2014</i>				
<i>Chapter and Docket Number</i>	<i>Sections Affected</i>	<i>Bulletin Vol. Proposed Rule</i>	<i>Bulletin Vol. Pending Rule</i>	<i>Final Effective Date</i>
IDAPA 02 - Department of Agriculture				
<i>02.02.14 - Rules for Weights and Measures</i>				
02-0214-1301	016 (Fee approved by SCR 147)	13-9	13-11	(3-20-14)
02-0214-1302	004	13-7	13-9	(3-20-14)
<i>02.03.03 - Rules Governing Pesticide and Chemigation Use and Application</i>				
02-0303-1301	050-100	13-9	13-11	(3-20-14)
02-0303-1302	800	13-9	13-11	(3-20-14)
<i>02.04.19 - Rules Governing Domestic Cervidae</i>				
02-0419-1301	010, 014, 023	13-7	13-9	(3-20-14)
<i>02.04.20 - Rules Governing Brucellosis</i>				
02-0420-1301	123	13-9	13-11	(3-20-14)
<i>02.04.21 - Rules Governing the Importation of Animals</i>				
02-0421-1301	010, 300, 600, 602	13-9	13-11	(3-20-14)
<i>02.06.02 - Rules Pertaining to the Idaho Commercial Feed Law</i>				
02-0602-1301	004	13-6	03-9	(3-20-14)

History Notes - Legislative Session 2014

Chapter and Docket Number	Sections Affected	Bulletin Vol. Proposed Rule	Bulletin Vol. Pending Rule	Final Effective Date
02.06.09 - Rules Governing Invasive Species				
02-0609-1301	010, 101, 103-107, 806, 807, 809-811	13-8	13-12	(3-20-14)
02.06.12 - Rules Pertaining to the Idaho Fertilizer Law				
02-0612-1301	004	13-6	13-9	(3-20-14)
02.06.13 - Rules Relating to Rapeseed Production and Establishment of Rapeseed Districts in the State of Idaho				
02-0613-1301	050-100	13-9	13-11	(3-20-14)
02.06.22 - Noxious Weed Rules				
02-0622-1301	100	13-8	13-10	(3-20-14)
02.06.23 - Rules Governing Noxious Weed Free Gravel and Rock Products Rules				
02-0623-1301	New Chapter (Pending rule rejected by SCR 136)	13-8	13-10	Rejected
02.06.25 - Rules Governing the Planting of Beans, other than Phaseolus Species, in Idaho				
02-0625-1301	New Chapter (Fee approved by SCR 147)	13-10	13-12	(3-20-14)
02.06.41 - Rules Pertaining to the Idaho Soil and Plant Amendment Act of 2001				
02-0641-1301	004	13-6	13-9	(3-20-14)

IDAPA05 - Department of Juvenile Corrections

05.01.02 - Rules and Standards for Secure Juvenile Detention Centers				
05-0102-1301	010, 212, 216, 220, 227, 256, 262-275	13-10	13-12	(3-20-14)

IDAPA 07 - Division of Building Safety

07.01.06 - Rules Governing the Use of National Electrical Code				
07-0106-1301	011	13-10	13-12	(3-20-14)
07.01.10 - Rules Governing Certification and Approval of Electrical Products and Materials				
07-0110-1301	011	13-10	13-12	(3-20-14)
07.03.01 - Rules of Building Safety				
07-0301-1301	004	13-9	13-11	(3-20-14)
07-0301-1302	004	13-9	13-11	(3-20-14)
07-0301-1303	004	13-9	13-11	(3-20-14)
07-0301-1304	004	13-9	13-11	(3-20-14)

History Notes - Legislative Session 2014

<i>Chapter and Docket Number</i>	<i>Sections Affected</i>	<i>Bulletin Vol. Proposed Rule</i>	<i>Bulletin Vol. Pending Rule</i>	<i>Final Effective Date</i>
07.03.11 - Rules Governing Manufactured/Mobile Home Industry Licensing				
07-0311-1301	001, 002, 010-016, 019, 022	13-9	13-11	(3-20-14)
07.05.01 - Rules of the Public Works Contractors License Board				
07-0501-1301	100, 102, 105, 110	13-10	13-12	(3-20-14)
07.07.01 - Rules Governing Installation of Heating, Ventilation, and Air Conditioning Systems				
07-0701-1301	004-006	13-10	13-12	(3-20-14)

IDAPA 08 - State Board of Education / State Department of Education

08.01.05 - Idaho Promise Scholarship Program				
08-0105-1301	Chapter Repeal	13-8	13-12	(3-20-14)
08.01.06 - Leveraging Education Assistance Partnership Program				
08-0106-1301	Chapter Repeal	13-8	13-12	(3-20-14)
08.01.09 - Rules Governing the GEAR UP Idaho Scholarship Program				
08-0109-1301	010, 101, 200-800	13-8	13-12	(3-20-14)
08.01.12 - Idaho Minority and "At-Risk" Student Scholarship Program				
08-0112-1301	Chapter Repeal	13-8	13-12	(3-20-14)
08.01.13 - Rules Governing the Opportunity Scholarship Program				
08-0113-1301	010-501	13-8	13-12	(3-20-14)
08.02.01 - Rules Governing Administration				
08-0201-1301	151	13-1	13-6	(3-20-14)
08-0201-1302	650	13-10	13-12	(3-20-14)
08.02.02 - Rules Governing Uniformity				
08-0202-1301	120, 121	13-6	13-10	(3-20-14)
08-0202-1302	140	13-8	13-12	(3-20-14)
08-0202-1303	045	13-8	13-12	(3-20-14)
08-0202-1304	016	13-8	13-12	(3-20-14)
08-0202-1305	076, 077	13-8	13-12	(3-20-14)
08-0202-1306	004	13-10	13-12	(3-20-14)
08-0202-1307	016	13-10	13-12	(3-20-14)

History Notes - Legislative Session 2014

Chapter and Docket Number	Sections Affected	Bulletin Vol. Proposed Rule	Bulletin Vol. Pending Rule	Final Effective Date
08-0202-1308	018, 021-024, 026, 100 (Subsection 023.03 rejected by HCR 55)	13-10	13-12	(3-12-14)
08.02.03 - Rules Governing Thoroughness				
08-0203-1301	113	13-10	13-12	(3-20-14)
08-0203-1303	160	13-8	13-12	(3-20-14)
08-0203-1304	128 (Fee approved by SCR 147)	13-8	13-12	(3-20-14)
08-0203-1306	104, 105 (Subsections 104.01.a. & 104.02.c. rejected by HCR 54)	13-10	13-12	(3-12-14)
08-0203-1307	103	13-10	13-12	(3-20-14)
08.02.04 - Rules Governing Public Charter Schools				
08-0204-1301	010-103, 201, 203-205, 300-400, 403, 500	13-8	13-12	(3-20-14)
08.03.01 - Rules of the Public Charter Schools Commission				
08-0301-1301	300-401	13-8	13-12	(3-20-14)

IDAPA 09 - Department of Labor

09.01.30 - Unemployment Insurance Benefit Administration Rules				
09-0130-1301	550-575	13-9	13-11	(3-20-14)
09.01.35 - Unemployment Insurance Tax Administration Rules				
09-0135-1301	011, 112	13-9	13-11	(3-20-14)

IDAPA 10 - Board of Professional Engineers and Land Surveyors

10.01.01 - Rules of Procedure				
10-0101-1301	017, 019 (Pending rule rejected by SCR 138)	13-7	13-9	Rejected
10.01.02 - Rules of Professional Responsibility				
10-0102-1301	008	13-7	13-9	(3-20-14)
10.01.04 - Rules of Continuing Professional Development				
10-0104-1301	008	13-7	13-9	(3-20-14)

History Notes - Legislative Session 2014

Chapter and Docket Number	Sections Affected	Bulletin Vol. Proposed Rule	Bulletin Vol. Pending Rule	Final Effective Date
IDAPA 11 - Idaho State Police				
11.04.02 - Rules Governing Simulcasting				
11-0402-1301	010, 029, 047-058	13-8	14-1	(3-20-14)
11.04.11 - Rules Governing Equine Veterinary Practices, Permitted Medications, Banned Substances, and Drug Testing of Horses				
11-0411-1301	501	13-8	14-1	(3-20-14)
11.10.01 - Rules Governing Idaho Public Safety and Security Information System				
11-1001-1301	018 (Fee approved by SCR 147)	13-10	14-1	(3-20-14)
11.10.02 - Rules Governing State Criminal History Records and Crime Information				
11-1002-1301	(Chapter name change) 000, 001, 010-033	13-10	14-1	(3-20-14)
11.11.01 - Rules of the Idaho Peace Officer Standards and Training Council				
11-1101-1301	054-067, 327	13-9	13-11	(3-20-14)
IDAPA 13 - Department of Fish and Game				
13.01.08 - Rules Governing the Taking of Big Game Animals in the State of Idaho				
13-0108-1302	250	13-10	14-1	(3-20-14)
13-0108-1303	260	13-10	14-1	(3-20-14)
13.01.09 - Rules Governing the Taking of Game Birds in the State of Idaho				
13-0109-1301	100	13-10	14-1	(3-20-14)
13.01.11 - Rules Governing Fish				
13-0111-1301	004	13-10	14-1	(3-20-14)
13-0111-1302	101	13-10	14-1	(3-20-14)
IDAPA 14 - Board of Registration of Professional Geologists				
14.01.01 - Rules of Procedure of the Board of Registration for Professional Geologists				
14-0101-1301	010, 100	13-10	13-12	(3-20-14)

History Notes - Legislative Session 2014

Chapter and Docket Number	Sections Affected	Bulletin Vol. Proposed Rule	Bulletin Vol. Pending Rule	Final Effective Date
IDAPA 15 - Office of the Governor				
<i>Division of Human Resources</i>				
15.04.01 - Rules of the Division of Human Resources and Personnel Commission				
15-0401-1302	010, 012, 013, 020, 067, 071, 072, 101, 102, 109, 110, 141, 180, 190, 210-220, 250-252	13-9	14-1	(3-20-14)
<i>Military Division</i>				
15.06.03 - Public Safety Communications Systems Installation and Maintenance Fee Rules				
15-0603-1301	Name Change, 000-100	13-10	13-12	(3-20-14)
15.06.04 - Rules Governing Idaho Youth Challenge Program				
15-0604-1301	New Chapter	13-10	13-12	(3-20-14)
<i>Emergency Response Commission (Commission has been disbanded)</i>				
15.13.01 - Rules of the Idaho Emergency Response Commission				
15-1301-1301	Chapter Repeal	13-10	13-12	(3-20-14)

IDAPA 16 - Department of Health and Welfare

16.01.01 - Emergency Medical Services -- Advisory Committee (EMSAC)				
16-0101-1301	005, 010	13-8	14-1	(7-1-14)
16.01.02 - Emergency Medical Services -- Rule Definitions				
16-0102-1301	New Chapter	13-8	14-1	(7-1-14)
16.01.03 - Emergency Medical Services -- Agency Licensing Requirements				
16-0103-1301	New Chapter	13-8	14-1	(7-1-14)
16.01.07 - Emergency Medical Services -- Personnel Licensing Requirements				
16-0107-1301	005, 010	13-8	14-1	(7-1-14)
16.01.12 - Emergency Medical Services -- Complaints, Investigations, and Disciplinary Actions				
16-0112-1301	005, 010, 110, 200-210, 330-340, 350	13-8	14-1	(7-1-14)
16.02.02 - Rules of the Idaho Emergency Medical Services Physician Commission				
16-0202-1301	004	13-7	14-1	(7-1-14)
16.02.03 - Emergency Medical Services (EMS)				
16-0203-1301	001, 002, 004-075, 204, 300-435	13-8	14-1	(7-1-14)

History Notes - Legislative Session 2014				
<i>Chapter and Docket Number</i>	<i>Sections Affected</i>	<i>Bulletin Vol. Proposed Rule</i>	<i>Bulletin Vol. Pending Rule</i>	<i>Final Effective Date</i>
16.03.01 - Eligibility for Health Care Assistance for Families and Children				
16-0301-1301	Chapter Repeal	13-10	14-1	(3-20-14)
16-0301-1302	Chapter Rewrite	13-10	14-1	(3-20-14)
16.03.04 - Rules Governing the Food Stamp Program in Idaho				
16-0304-1301	221, 382, 501, 535, 573, 575, 613-619	13-10	14-1	(7-1-14)
16.03.05 - Rules Governing Eligibility for Aid to the Aged, Blind, and Disabled (AABD)				
16-0305-1301	005, 072, 092-100, 102-105, 502, 515, 516, 618, 621, 701, 703, 723, 800	13-10	14-1	(3-20-14)
16.03.06 - Refugee Medical Assistance				
16-0306-1301	010, 135-150, 400	13-10	14-1	(3-20-14)
16.03.09 - Medicaid Basic Plan Benefits				
16-0309-1301	004, 009, 011, 012, 150, 230, 399, 500-502, 615, 689-699, 707-719, 850-858	13-8	13-11	(3-20-14)
16-0309-1302	160, 200-210, 350, 351, 735	13-10	14-1	(3-20-14)
16-0309-1303	620-623, 662	13-10	14-1	(3-20-14)
16.03.10 - Medicaid Enhanced Plan Benefits				
16-0310-1301	001, 004, 009, 038, 075, 103-199, 655, 685, 720, 721, 724-730, 736	13-8	13-11	(3-20-14)
16.03.15 - Rules and Minimum Standards for Semi-Independent Group Residential Facilities for the Developmentally Disabled or Mentally Ill				
16-0315-1301	Chapter Repeal	13-6	14-1	(3-20-14)
16.04.02 - Idaho Telecommunication Service Assistance Program Rules				
16-0402-1301	001, 010, 110	13-7	13-11	(3-20-14)
16.05.01 - Use and Disclosure of Department Records				
16-0501-1301	190	13-9	14-1	(7-1-14)
16.05.04 - Rules of the Idaho Council On Domestic Violence and Victim Assistance Grant Funding				
16-0504-1301	004	13-10	14-1	(7-1-14)
16.05.06 - Criminal History and Background Checks				
16-0506-1301	000, 100, 180 (Fee approved by SCR 147)	13-8	13-11	(3-20-14)
16-0506-1302	060, 130-150, 170, 190-210, 230, 270	13-9	14-1	(7-1-14)

History Notes - Legislative Session 2014

Chapter and Docket Number	Sections Affected	Bulletin Vol. Proposed Rule	Bulletin Vol. Pending Rule	Final Effective Date
16.05.07 - The Investigation and Enforcement of Fraud, Abuse, and Misconduct				
16-0507-1301	010-100, 210, 230	13-10	14-1	(3-20-14)
16.06.01 - Child and Family Services				
16-0601-1301	483	13-6	13-11	(3-20-14)
16-0601-1302	051, 562 (Fee approved by SCR 147)	13-9	14-1	(3-20-14)
16.06.12 - Rules Governing the Idaho Child Care Program (ICCP)				
16-0612-1301	401, 802	13-9	14-1	(3-20-14)
16-0612-1302	105	13-11	14-1	(3-20-14)
16.07.17 - Alcohol and Substance Use Disorders Services				
16-0717-1301	009-011	13-9	14-1	(7-1-14)
16.07.20 - Alcohol and Substance Use Disorders Treatment and Recovery Support Services Facilities and Programs				
16-0720-1301	009, 011, 138, 210	13-9	14-1	(7-1-14)
16.07.30 - Behavioral Health Community Crisis Centers				
16-0730-1301	New Chapter	13-10	14-1	(7-1-14)
16.07.33 - Adult Mental Health Services				
16-0733-1301	009, 010	13-9	13-12	(7-1-14)

IDAPA 17 - Industrial Commission

17.02.09 - Medical Fees				
17-0209-1301	031, 033	13-10	13-12	(3-20-14)
17.02.10 - Administrative Rules of the Industrial Commission Under the Workers' Compensation Law -- Security for Compensation -- Insurance Carriers				
17-0210-1301	004-007, 011-014, 271, Appendix A through C	13-10	14-1	(3-20-14)
17.02.11 - Administrative Rules of the Industrial Commission Under the Workers' Compensation Law -- Security for Compensation -- Self-Insured Employers				
17-0211-1301	004-14, 271, Appendix A, Appendix B	13-10	14-1	(3-20-14)

History Notes - Legislative Session 2014

Chapter and Docket Number	Sections Affected	Bulletin Vol. Proposed Rule	Bulletin Vol. Pending Rule	Final Effective Date
IDAPA 18 - Department of Insurance				
18.01.04 - Rules Pertaining to Bail Agents				
18-0104-1301	016	13-9	13-11	(3-20-14)
18.01.23 - Rules Pertaining to Idaho Acquisitions of Control and Insurance Holding Company Systems				
18-0123-1301	(Chapter name change) 000, 001, 003-029, Form A, through Form F	13-10	13-12	(3-20-14)
18.01.50 - Adoption of the International Fire Code				
18-0150-1301	004, 011, 016, 017, 020-029, 038-052	13-10	13-12	(3-20-14)
IDAPA 19 - Board of Dentistry				
19.01.01 - Rules of the Idaho State Board of Dentistry				
19-0101-1301	004, 012, 014-017, 020, 028-040, 046-055, 057-060 (Fee approved by SCR 147)	13-10	13-12	(3-20-14)
IDAPA 20 - Department of Lands				
20.02.01 - Rules Pertaining to the Idaho Forest Practices Act				
20-0201-1301	010, 030	13-9	14-1	(3-20-14)
IDAPA 21 - Division of Veterans Services				
21.01.02 - Rules Governing Emergency Relief for Veterans				
21-0102-1301	027	13-10	13-12	(3-20-14)
21.01.08 - Rules Governing Veterans Recognition Fund Grant Program				
21-0108-1301	(New Chapter) 000-999	13-10	13-12	(3-20-14)
IDAPA 22 - Board of Medicine				
22.01.03 - Rules for the Licensure of Physician Assistants				
22-0103-1301	042, 043	13-10	13-12	(3-20-14)
22.01.13 - Rules for the Licensure of Dietitians				
22-0113-1301	021, 032	13-10	13-12	(3-20-14)

History Notes - Legislative Session 2014

Chapter and Docket Number	Sections Affected	Bulletin Vol. Proposed Rule	Bulletin Vol. Pending Rule	Final Effective Date
IDAPA 23 - Board of Nursing				
23.01.01 - Rules of the Idaho Board of Nursing				
23-0101-1301	401, 460-490	13-9	13-11	(3-20-14)
23-0101-1302	077	13-10	13-12	(3-20-14)

IDAPA 24 - Bureau of Occupational Licenses				
24.02.01 - Rules of the Board of Barber Examiners				
24-0201-1301	200, 251-349	13-10	13-12	(3-20-14)
24.04.01 - Rules of the Idaho Board of Cosmetology				
24-0401-1301	010, 125, 500, 575, 800 (Fee approved by SCR 147)	13-10	13-12	(3-20-14)
24.05.01 - Rules of the Board of Drinking Water and Wastewater Professionals				
24-0501-1302	200, 315-320 (Fee approved by SCR 147)	13-10	13-12	(3-20-14)
24.06.01 - Rules for the Licensure of Occupational Therapists and Occupational Therapy Assistants				
24-0601-1301	021	13-9	13-12	(3-20-14)
24.07.01 - Rules of the Idaho State Board of Landscape Architects				
24-0701-1301	201, 300, 400, 500 (Fee approved by SCR 147)	13-9	13-12	(3-20-14)
24.08.01 - Rules of the State Board of Morticians				
24-0801-1301	450-452, 455, 501	13-9	13-12	(3-20-14)
24.11.01 - Rules of the State Board of Podiatry				
24-1101-1301	004, 010-150, 200-401, 551-700 (Fee approved by SCR 147)	13-10	13-12	(3-20-14)
24.13.01 - Rules Governing the Physical Therapy License Board				
24-1301-1301	016	13-8	13-12	(3-20-14)
24-1301-1302	200 (Fee approved by SCR 147)	13-8	13-12	(3-20-14)
24.14.01 - Rules of the State Board of Social Work Examiners				
24-1401-1301	211	13-9	13-12	(3-20-14)
24.18.01 - Rules of the Real Estate Appraiser Board				
24-1801-1301	004, 010, 250-450, 526-541	13-10	13-12	(3-20-14)

History Notes - Legislative Session 2014

Chapter and Docket Number	Sections Affected	Bulletin Vol. Proposed Rule	Bulletin Vol. Pending Rule	Final Effective Date
24.25.01 - Rules of the Idaho Driving Businesses Licensure Board				
24-2501-1301	225, 250-275	13-7	13-12	(3-20-14)
24.26.01 - Rules of the Idaho Board of Midwifery				
24-2601-1301	175 (Fee approved by SCR 147)	13-10	13-12	(3-20-14)

IDAPA 25 - Outfitters and Guides Licensing Board

25.01.01 - Rules of the Outfitters and Guides Licensing Board				
25-0101-1201	011 (Pending rule rejected by SCR 133)	13-10	14-1	Rejected

IDAPA 26 - Department of Parks and Recreation

26.01.20 - Rules Governing the Administration of Park and Recreation Areas and Facilities				
26-0120-1301	250 (Fee approved by SCR 147)	13-10	14-1	(7-1-14)
26-0120-1302	258, 259 (Fee approved by SCR 147)	13-10	14-1	(7-1-14)

IDAPA 27 - Board of Pharmacy

27.01.01 - Rules of the Idaho State Board of Pharmacy				
27-0101-1207	029, 035, 050, 052-054, 111, 112, 202, 604, 605	13-10	13-12	(3-20-14)
27-0101-1301	004, 010, 011, 239, 240 (Pending rule rejected by HCR 42)	13-10	13-12	Rejected
27-0101-1302	200	13-10	13-12	(3-20-14)

IDAPA 28 - Department of Commerce

28.02.07 - Rules Governing the Administration of the IGEM Grant Program				
28-0207-1301	(New Chapter) 000-999	13-10	14-1	(3-20-14)
28.03.01 - Rules of the Idaho Opportunity Fund				
28-0301-1301	(New Chapter) 000-999	13-9	14-1	(3-20-14)

History Notes - Legislative Session 2014

Chapter and Docket Number	Sections Affected	Bulletin Vol. Proposed Rule	Bulletin Vol. Pending Rule	Final Effective Date
28.03.04 - Rules of the Business and Jobs Development Grant Fund				
28-0304-1301	Chapter Repeal	13-9	14-1	(3-20-14)

IDAPA 31 - Public Utilities Commission

31.01.01 - Rules of Procedure of the Idaho Public Utilities Commission				
31-0101-1301	018, 019, 039, 043, 052, 053, 072, 111, 114-121, 125, 162	13-10	13-12	(2-15-14)
31.71.03 - Railroad Safety and Accident Reporting Rules				
31-7103-1301	103, 104	13-10	13-12	(3-20-14)

IDAPA 33 - Real Estate Commission

33.01.01 - Rules of the Idaho Real Estate Commission				
33-0101-1301	402	13-8	13-12	(3-20-14)

IDAPA 34 - Secretary of State

34.06.01 - Rules Governing the Electronic Recording of Real Property				
34-0601-1301	(New Chapter) 000-999	13-7	13-9	(3-20-14)

IDAPA 35 - State Tax Commission

35.01.01 - Income Tax Administrative Rules				
35-0101-1301	195, 201, 263, 872	13-10	14-1	(3-20-14)
35-0101-1302	040-045, 075, 105, 120, 121, 125, 140, 180, 194, 251, 252, 254, 270, 280, 291, 710, 714, 771, 801, 855, 880	13-10	14-1	(3-20-14)
35-0101-1303	010, 805	13-11	14-1	(3-20-14)
35.01.02 - Idaho Sales and Use Tax Administrative Rules				
35-0102-1302	036, 037, 041, 046, 079, 114, 130	13-10	14-1	(3-20-14)
35.01.03 - Property Tax Administrative Rules				
35-0103-1302	006-020, 205, 302, 406, 407, 626, 632, 700, 803, 902 (Pending rule Section 205 rejected by HCR 61)	13-10	14-1	(3-20-14)

History Notes - Legislative Session 2014

Chapter and Docket Number	Sections Affected	Bulletin Vol. Proposed Rule	Bulletin Vol. Pending Rule	Final Effective Date
35.01.05 - Motor Fuels Tax Administrative Rules				
35-0105-1301	105, 132, 270, 292, 410, 510	13-9	13-11	(3-20-14)
35.01.09 - Idaho County Option Kitchen and Table Wine Tax Rules				
35-0109-1301	012	13-10	14-1	(3-20-14)
35.01.10 - Idaho Cigarette and Tobacco Products Tax Administrative Rules				
35-0110-1301	019	13-10	14-1	(3-20-14)
35.01.14 - Prepaid Wireless E911 Fee Administrative Rules				
35-0114-1301	New Chapter	13-10	14-1	(3-20-14)
35.02.01 - Administration and Enforcement Rules				
35-0201-1301	705	13-10	14-1	(3-20-14)
35-0201-1302	310	13-10	14-1	(3-20-14)
35-0201-1303	010	13-11	14-1	(3-20-14)

IDAPA 38 - Department of Administration

38.04.06 - Rules Governing Use of the Exterior of State Property in the Capitol Mall and Other State Facilities				
38-0406-1301	010-101, 200, 201, 203-302, 314, 315, 317-400 (Final Rule Subsections 200.03, 400.01, & 400.03, and Pending Rule Section 201, Subsections 400.01, & 400.03 rejected by HCR 48)	13-5	13-7	(3-18-14)
38.04.08 - Rules Governing Use of the State Capitol Exterior				
38-0408-1301	010-201, 203-315, 317-401, 500 (Final Rule Subsections 200.03, 400.07, 500.01, & 500.03, and Pending Rule Section 201, Subsections 500.01, & 500.03 rejected by HCR 47)	13-5	13-7	(3-18-14)

IDAPA 39 - Idaho Transportation Department

39.02.60 - Rules Governing License Plate Provisions				
39-0260-1301	012, 155, 202	13-10	14-1	(3-20-14)
39.02.71 - Rules Governing Driver's License Violation Point System				
39-0271-1301	100-200, 400	13-9	14-1	(1-1-14)

History Notes - Legislative Session 2014

Chapter and Docket Number	Sections Affected	Bulletin Vol. Proposed Rule	Bulletin Vol. Pending Rule	Final Effective Date
39.03.12 - Rules Governing Safety Requirements of Overlegal Permits				
39-0312-1301	100-300, 500, 800-950	13-9	14-1	(3-20-14)
39.03.15 - Rules Governing Excess Weight Permits for Reducible Loads				
39-0315-1301	(Chapter name change) 000-009, 100	13-8	14-1	(3-20-14)
39.03.22 - Rules Governing Overlegal Permits for Extra-Length, Excess Weight, and Up to 129,000 Pound Vehicle Combinations				
39-0322-1301	(Chapter name change) 001, 005, 100-400	13-8	14-1	(7-1-13)
39-0322-1302	000, 200-400	13-8	14-1	(4-1-14)
39.03.23 - Rules Governing Revocation of Overlegal Permits				
39-0323-1301	001-007, 100	13-8	14-1	(3-20-14)
39.03.50 - Rules Governing Safety Rest Areas				
39-0350-1301	001-400 (Final Rule Subsection 200.05, and Pending Rule Subsections 200.04, 200.05, & 200.06 rejected by HCR 44)	13-10	14-1	(3-6-14)
39.04.02 - Rules Governing Marking of Hazards to Air Flight				
39-0402-1301	100	13-10	14-1	(3-20-14)
39.04.04 - Rules Governing Idaho Airport Aid Program				
39-0404-1301	007-099, 200-300	13-10	14-1	(3-20-14)

IDAPA 46 - Board of Veterinary Medical Examiners

46.01.01 - Rules of the State of Idaho Board of Veterinary Medicine				
46-0101-1301	102, 103, 154, 205	13-9	13-11	(3-20-14)
46-0101-1302	015	13-9	13-11	(3-20-14)

IDAPA 52 - Idaho State Lottery Commission

52.01.02 - Gaming Rules of the Idaho State Lottery Commission				
52-0102-1301	010, 103, 105, 106, 122, 123, 125, 126, 203, 207, 302, 306, 307	13-10	13-12	(3-20-14)

History Notes - Legislative Session 2014

<i>Chapter and Docket Number</i>	<i>Sections Affected</i>	<i>Bulletin Vol. Proposed Rule</i>	<i>Bulletin Vol. Pending Rule</i>	<i>Final Effective Date</i>
IDAPA 53 - Idaho Barley Commission				
53.01.01 - Rules of the Idaho Barley Commission				
53-0101-1301	000, 001, 003-007, 100	13-11	14-1	(3-20-14)

IDAPA 57 - Sexual Offender Management Board				
57.01.01 - Rules Governing the Sexual Offender Management Board				
57-0101-1201	Chapter Repeal	13-10	14-1	(3-20-14)
57-0101-1202	Chapter Rewrite (Fee approved by SCR 147)	13-10	14-1	(3-20-14)

IDAPA 58 - Department of Environmental Quality				
58.01.01 - Rules for the Control of Air Pollution In Idaho				
58-0101-1301	107, 861, 862	13-8	13-11	(3-20-14)

IDAPA 59 - Public Employees Retirement System - PERSI				
59.01.06 - Retirement Rules of the Public Employee Retirement System of Idaho				
59-0106-1301	174	13-9	13-11	(3-20-14)

IDAPA 07 - DIVISION OF BUILDING SAFETY

07.01.06 - RULES GOVERNING THE USE OF NATIONAL ELECTRICAL CODE

DOCKET NO. 07-0106-1401

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 54-1001 and 54-1006(5), Idaho Code.

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

ORIGINATING LOCATION -- LIVE MEETING Thursday, July 24, 2014 -- 9:30 a.m. MDT (8:30 a.m. PDT)
Idaho Electrical Board Idaho Division of Building Safety 1090 E. Watertower, Suite 150, Meridian, Idaho 83642

VIDEO CONFERENCE LOCATIONS	
1250 Ironwood Drive Suite 220 Coeur d'Alene, Idaho 83814	2055 Garrett Way Building 1, Suite 4 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 Electrical Board on designated forms available at the Division of Building Safety website <http://dbs.idaho.gov/> and at the DBS offices in Meridian, Coeur d'Alene, and Pocatello, Idaho. Individuals may also attend the public meeting to be conducted on the above date during which the Idaho Electrical Board will allow oral comments or presentations to be made. In addition to participation at the scheduled Board meeting, the Division is aware of a collaborative group that has been formed to work on this issue. More information regarding meetings and other activities involving the collaborative is available by contacting Ron Whitney at the Division of Building Safety at (208) 334-3950 or at ron.whitney@dbs.idaho.gov.

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 Section 54-1001, Idaho Code, the Idaho Electrical Board has the authority through the promulgation of rules to adopt and amend the National Electrical Code. The Electrical Board desires to amend provisions of this code 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 this code for application in Idaho.

CONTACT INFORMATION, WEB ADDRESS, ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning this negotiated rulemaking, contact Steve Keys, Deputy Administrator - Operations, (208) 332-8986.

Anyone may submit written comments regarding this negotiated rulemaking. All written comments, questions, recommendations, or ideas must be directed to the undersigned and must be submitted on the appropriate form to the Division of Building Safety or the Idaho Electrical Board on or before July 1, 2014. Forms may be submitted via email to neg.rules@dbs.idaho.gov.

DATED this 1st day of April, 2014.

Steve Keys, Deputy Administrator - Operations
Division of Building Safety
1090 E. Watertower St., Ste. 150
P. O. Box 83720
Meridian, ID 83642
Phone: (208) 332-8986
Fax: (877) 810-2840

IDAPA 07 - DIVISION OF BUILDING SAFETY

07.01.07 - RULES GOVERNING CONTINUING EDUCATION REQUIREMENTS

DOCKET NO. 07-0107-1401

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 54-1006(5) and 54-1013, Idaho Code.

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

ORIGINATING LOCATION -- LIVE MEETING Thursday, July 24, 2014 -- 9:30 a.m. MDT (8:30 a.m. PDT)	
Idaho Electrical Board Idaho Division of Building Safety 1090 E. Watertower, Suite 150, Meridian, Idaho 83642	
VIDEO CONFERENCE LOCATIONS	
1250 Ironwood Drive Suite 220 Coeur d'Alene, Idaho 83814	2055 Garrett Way Building 1, Suite 4 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 Electrical Board on designated forms available at the Division of Building Safety website <http://dbs.idaho.gov/> and at the DBS offices in Meridian, Coeur d'Alene, and Pocatello, Idaho. Individuals may also attend the public meeting to be conducted on the above date during which the Idaho Electrical Board will allow oral comments or presentations to be made. In addition to participation at the scheduled Board meeting, the Division is aware of a collaborative group that has been formed to work on this issue. More information regarding meetings and other activities involving the collaborative is available by contacting Ron Whitney at the Division of Building Safety at (208) 334-3950 or at ron.whitney@dbs.idaho.gov.

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:

Journeyman and master electricians are currently required to receive twenty-four (24) hours of continuing education units (CEU) training in each three (3)-year licensing period. The twenty-four (24) hours consists of sixteen (16) hours of code update covering changes included in the latest edition of the National Electrical Code, and eight (8) hours of industry related training. The Board now desires to give consideration to modifying the continuing education rule requirements to include a component of code related-training in addition to code update and industry-related training.

CONTACT INFORMATION, WEB ADDRESS, ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning this negotiated rulemaking, contact Steve Keys, Deputy Administrator - Operations, (208) 332-8986.

Anyone may submit written comments regarding this negotiated rulemaking. All written comments, questions, recommendations, or ideas must be directed to the undersigned and must be submitted on the appropriate form to the Division of Building Safety or the Idaho Electrical Board on or before July 1, 2014. Forms may be submitted via email to neg.rules@dbs.idaho.gov.

DATED this 1st day of April, 2014.

Steve Keys, Deputy Administrator - Operations
Division of Building Safety
1090 E. Watertower St., Ste. 150
P. O. Box 83720
Meridian, ID 83642
Phone: (208) 332-8986
Fax: (877) 810-2840

IDAPA 07 - DIVISION OF BUILDING SAFETY

07.05.01 - RULES OF THE PUBLIC WORKS CONTRACTORS LICENSE BOARD

DOCKET NO. 07-0501-1401

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 54-1907, 54-4507, 54-4508, 54-4510 and 67-2601A, Idaho Code.

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

ORIGINATING LOCATION -- LIVE MEETING Thursday, July 10, 2014 -- 9:30 a.m. MDT (8:30 a.m. PDT)	
Public Works Contractors License Board Idaho Division of Building Safety 1090 E. Watertower, Suite 150, Meridian, Idaho 83642	
VIDEO CONFERENCE LOCATIONS	
1250 Ironwood Drive Suite 220 Coeur d'Alene, Idaho 83814	2055 Garrett Way Building 1, Suite 4 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 Public Works Contractors License Board on designated forms available at the Division of Building Safety website <http://dbs.idaho.gov/> and at the DBS offices in Meridian, Coeur d'Alene, and Pocatello, Idaho. Individuals may also attend the public meeting to be conducted on the above date during which the Public Works Contractors License Board will allow oral comments or presentations to be made. In addition to participation at the scheduled Board meeting, the Division is aware of a collaborative group that has been formed to work on this issue. More information regarding meetings and other activities involving the collaborative is available by contacting Steve Keys at the Division of Building Safety at (208) 334-3950 or at steve.keys@dbs.idaho.gov.

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 Section 54-1907, Idaho Code, as well as various sections contained in Title 54, Chapter 45, and Title 67, Chapter 26, Idaho Code, the Public Works Contractors License Board and the administrator have the authority through the promulgation of rules to prescribe and amend rules for the administration of Title 54, Chapter 45, Idaho Code. The Idaho Legislature recently enacted changes to the chapter in Senate Bill 1311, which requires amendment to existing administrative rules. Concurrently, the Public Works Contractors License Board also seeks public input relative to modifying existing rule provisions governing licensing categories and classifications of licenses. 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 modifying administrative rule provisions 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 rules, contact Steve Keys, Deputy Administrator - Operations, (208) 332-8986.

Anyone may submit written comments regarding this negotiated rulemaking. All written comments, questions, recommendations, or ideas must be directed to the undersigned and must be submitted on the appropriate form to the Division of Building Safety or the Idaho Public Works Contractors License Board by July 3, 2014. Forms may be submitted via email to neg.rules@dbs.idaho.gov.

DATED this 26th day of March, 2014.

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 08 - STATE BOARD OF AND STATE DEPARTMENT OF EDUCATION

08.02.02 - RULES GOVERNING UNIFORMITY

DOCKET NO. 08-0202-1308

NOTICE OF LEGISLATIVE ACTION - FINAL RULE

AUTHORITY: In compliance with Sections 67-5224 and 67-5291, Idaho Code, notice is hereby given that the legislature has taken action by concurrent resolution on the pending rule promulgated under Docket No. 08-0202-1308. The affected Subsection, in its final version as affected by House Concurrent Resolution (HCR) 55, is being reprinted here pursuant to this legislative action.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement regarding the partial rejection:

Pursuant to **HCR 55**, IDAPA 08.02.02, "Rules Governing Uniformity," pending rule Section 023, Subsection 03 (023.03), only, promulgated under Docket Number 08-0202-1308, is not consistent with legislative intent and is rejected and declared null, void and of no force and effect. Subsection 023.03, only, is reprinted here as affected by HCR 55 following this notice.

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

DATED this 3rd day of April, 2014.

Dennis Stevenson
Administrative Rules Coordinator
Office of the Administrative Rules Coordinator
Department of Administration
P. O. Box 83720, Boise, ID 83720-0306
email: rulescoordinator@adm.idaho.gov

REJECTED PENDING RULE

023. ENDORSEMENTS E - L.

03. English (6-12). ~~Twenty (20)~~ Forty-five (45) upper division semester credit hours leading toward competency as defined by Idaho Standards for English Language Arts Teachers, including ~~three (3) semester credit hours in Linguistics/Grammar, three (3) semester credit hours in American Literature, three (3) semester credit hours in English Literature, six (6) semester credit hours in British Literature, Adolescent Literature, Multicultural Literature, Content Literacy, methods courses in Reading/Literature, Writing, and Integrating English Language Arts, and Advanced Composition~~, excluding the introductory sequence designed to meet general education requirements. ~~Remaining credits must be completed in the English Department, and must include some course work in Writing Methods for Teachers of Secondary Students.~~ (3-16-04)(_____)

SECTION 023 - FINAL RULE PER HOUSE CONCURRENT RESOLUTION 55

023. ENDORSEMENTS E - L.

01. Earth Science (6-12). Twenty (20) semester credit hours including course work in each of the following: Earth Science, Astronomy, and Geology. (4-11-06)

02. Economics (6-12). Twenty (20) semester credit hours to include a minimum of three (3) semester credit hours of micro-economics, a minimum of three (3) semester credit hours of macro-economics, and a minimum of six (6) semester credit hours of Personal Finance/Consumer Economics/Economics Methods. Remaining course work may be selected from economics and finance course work in one (1) or more of the following areas: Agriculture Science and Technology, Business Education, Economics, Family and Consumer Science, or Marketing Education. (4-11-06)

03. English (6-12). Twenty (20) semester credit hours, including three (3) semester credit hours in Linguistics/Grammar, three (3) semester credit hours in American Literature, three (3) semester credit hours in English Literature, six (6) semester credit hours in Advanced Composition, excluding the introductory sequence designed to meet general education requirements. Remaining credits must be completed in the English Department, and must include some course work in Writing Methods for Teachers of Secondary Students. (3-16-04)

04. English as a New Language (ENL) (K-12). Twenty (20) semester credit hours leading toward competency as defined by Idaho Standards for ENL Teachers to include all of the following: at least four (4) semester credit hours in a modern language other than English; Cultural Diversity; ENL Methods; Linguistics; second language acquisition theory and practice; Foundations of ENL/Bilingual Education, Federal and State Law, Testing/Identification of Limited English Proficient Students; and at least one (1) semester credit in ENL Practicum or Field Experience. (4-4-13)

05. Family and Consumer Sciences (6-12). (4-4-13)

a. Thirty (30) semester credit hours to include coursework in each of the following areas: Child/Human Development; Human/Family Relations; Directed Laboratory Experience in Childcare; Apparel and Textiles, Cultural Dress, Fashion Merchandising, or Design; Nutrition; Food Preparation, Food Production, or Culinary Arts; Housing, Interior Design, Home Management, or Equipment; Consumer Economics or Family Resource Management; Introduction to Family Consumer Sciences; Professional-Technical Student Organization (PTSO) leadership; and Integration of Family Consumer Sciences or Family Consumer Science Methods. (4-4-13)

b. Occupational teacher preparation that relates to the appropriate area(s) as provided in Sections 034 through 038. (4-4-13)

06. Geography (6-12). Twenty (20) semester credit hours including course work in Cultural Geography and Physical Geography, and a maximum of six (6) semester credit hours in World History Survey. Remaining semester credit hours must be selected from Geography. (4-11-06)

07. Geology (6-12). Twenty (20) semester credit hours in the area of Geology. (3-16-04)

08. Gifted and Talented (K-12). Twenty (20) semester credit hours leading toward competency as defined by Idaho Standards for Gifted and Talented Education Teachers, to include semester credit hours in each of the following areas: Foundations of Gifted and Talented Education; Creative/Critical Thinking Skills for Gifted and Talented Students; Social and Emotional Needs of Gifted and Talented Students; Curriculum, Instruction, and Assessment for Gifted and Talented Students; Differentiated Instruction and Programing for Gifted and Talented Students; and Practicum and Program Design for Gifted and Talented Education. Remaining course work must be in the area of gifted education. (3-12-14)

09. Health (6-12 or K-12). Twenty (20) semester credit hours to include course work in Organization/Administration/Planning of a School Health Program; Health and Wellness; Secondary Methods of Teaching Health; Mental/Emotional Health; Nutrition; Human Sexuality; Substance Use and Abuse. Remaining semester credits must be in health-related course work. To obtain a Health K-12 endorsement, applicants must complete an elementary Health methods course. (4-4-13)

10. History (6-12). Twenty (20) semester credit hours to include a minimum of six (6) semester credit hours of U.S. History Survey and a minimum of six (6) semester credit hours of World History Survey. Remaining

course work must be in History. Course work may include three (3) semester credit hours in American Government. (4-11-06)

11. Humanities (6-12). An endorsement in English, History, Music, Visual Art, Drama, or Foreign Language and twenty (20) semester credit hours in one of the following areas or ten (10) semester credit hours in each of two (2) of the following areas: Literature, Music, Foreign Language, Humanities Survey, History, Visual Art, Philosophy, Drama, Comparative World Religion, Architecture, and Dance. (4-11-06)

12. Journalism (6-12). Follow one (1) of the following options: (3-16-04)

a. Option I: Twenty (20) semester credit hours to include a minimum of sixteen (16) semester credit hours in Journalism and four (4) semester credit hours in English. (3-16-04)

b. Option II: Possess an English endorsement with a minimum of six (6) semester credit hours in Journalism. (3-16-04)

13. Literacy (K-12). Twenty-one (21) semester credit hours leading toward competency as defined by Idaho Standards for Literacy Teachers to include the following areas: Foundations of Literacy (including reading, writing, and New Literacies); Development and Diversity of Literacy Learners; Literacy in the Content Area; Literature for Youth; Language Development; Corrective/Diagnostic/Remedial Reading; and Writing Instruction. To obtain a Literacy endorsement, applicants must complete the Idaho Comprehensive Literacy Course or the Idaho Comprehensive Literacy Assessment. (3-12-14)

IDAPA 08 - STATE BOARD OF AND STATE DEPARTMENT OF EDUCATION

08.02.03 - RULES GOVERNING THOROUGHNESS

DOCKET NO. 08-0203-1306

NOTICE OF LEGISLATIVE ACTION - FINAL RULE

AUTHORITY: In compliance with Sections 67-5224 and 67-5291, Idaho Code, notice is hereby given that the legislature has taken action by concurrent resolution on the pending rule promulgated under Docket No. 08-0203-1306. The affected Subsections, in their final version as affected by House Concurrent Resolution (HCR) 54, are being reprinted here pursuant to this legislative action.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement regarding the partial rejection:

Pursuant to **HCR 54**, IDAPA 08.02.03, "Rules Governing Thoroughness," Section 104, Subsections 01.a. and 02.c., only, promulgated as pending rules under Docket Number 08-0203-1306, are not consistent with legislative intent and are rejected and declared null, void and of no force and effect. Only the affected Subsections are reprinted here as affected by HCR 54 following this notice.

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

DATED this 3rd day of April, 2014.

Dennis Stevenson
Administrative Rules Coordinator
Office of the Administrative Rules Coordinator
Department of Administration
P. O. Box 83720, Boise, ID 83720-0306
email: rulescoordinator@adm.idaho.gov

REJECTED PENDING RULE

104. OTHER REQUIRED INSTRUCTION.

Other required instruction for all students and other required offerings of the school are: (4-1-97)

01. Elementary Schools. (4-11-06)

a. The following section outlines other information required for all elementary students, as well as other required offerings of the school:

Fine Arts (art and music)

Health (wellness)

Physical Education (fitness, a minimum of sixty (60) minutes of physical education on a weekly basis) (4-11-06)()

02. Middle Schools/Junior High Schools. (4-11-06)

*c. Other required instruction for all middle school students:
Health (wellness)*

Physical Education (fitness). Effective Fall 2015, an average of two hundred (200) minutes of physical education on a bi-weekly basis, during a period of enrollment; Effective Fall 2018, to be increased to two hundred twenty-five (225) minutes on a bi-weekly basis, during a period of enrollment. (4-11-06)()

SECTION 104 - FINAL RULE PER HOUSE CONCURRENT RESOLUTION 54

104. OTHER REQUIRED INSTRUCTION.

Other required instruction for all students and other required offerings of the school are: (4-1-97)

01. Elementary Schools. (4-11-06)

a. The following section outlines other information required for all elementary students, as well as other required offerings of the school:

Fine Arts (art and music)
Health (wellness)
Physical Education (fitness) (4-11-06)

b. Additional instructional options as determined by the local school district. For example:
Languages other than English
Career Awareness (4-1-97)

02. Middle Schools/Junior High Schools. (4-11-06)

a. No later than the end of Grade eight (8) each students shall develop parent-approved student learning plans for their high school and post-high school options. The learning plan shall be developed by students with the assistance of parents or guardians, and with advice and recommendation from school personnel. It shall be reviewed annually and may be revised at any time. The purpose of a parent-approved student learning plan is to outline a course of study and learning activities for students to become contributing members of society. A student learning plan describes, at a minimum, the list of courses and learning activities in which the student will engage while working toward meeting the school district's or LEA's graduation standards. The school district or LEA will have met its obligation for parental involvement if it makes a good faith effort to notify the parent or guardian of the responsibility for the development and approval of the learning plan. A learning plan will not be required if the parent or guardian requests, in writing, that no learning plan be developed. (4-11-06)

b. A student must have taken pre-algebra before the student will be permitted to enter grade nine (9). (3-12-14)

c. Other required instruction for all middle school students:
Health (wellness)
Physical Education (fitness) (4-11-06)

d. Other required offerings of the school:
Family and Consumer Science
Fine & Performing Arts
Professional Technical Education
Advisory Period (middle school only, encouraged in junior high school) (4-11-06)

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

10.01.01 - RULES OF PROCEDURE

DOCKET NO. 10-0101-1401

NOTICE OF INTENT TO PROMULGATE RULES - NEGOTIATED RULEMAKING

AUTHORITY: In compliance with Sections 67-5220(1) and 67-5220(2), Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Section 54-1202, Idaho Code.

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

Monday, May 19, 2014 -- 9:00 a.m.

**1510 E. Watertower St., Ste. 110
Meridian, Idaho 83642**

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

Attend the meeting and present your views and thoughts on the draft amendments or submit your views and thoughts in writing not later than May 23, 2014.

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

The draft amendments will improve the process the board uses to substantiate the educational requirements that must be met prior to assignment to examinations or granting a license by comity. It is difficult for the board to ascertain the applicant's educational coursework when reviewing foreign education or non-EAC/ABET accredited applications. Also, applications for comity licensure in which the education was completed many years ago is difficult to evaluate where course descriptions are no longer published or available. In addition, some college graduate programs do not always require minimum Bachelor of Science (BS) level coursework be completed prior to being matriculated into the program. The board is expanding the option of requiring an independent evaluation of an applicant's educational credentials to any graduate of a university program that is not accredited by the EAC/ABET organization. The previous rule applied the credential evaluation only to foreign educated applicants.

Additionally, the board is changing the process to evaluate foreign applicants for comity licensure. The rule revision will separate the foreign applicant process from the interstate applicant process. The foreign applicant process will also separate the foreign credentialing process from those that are board approved and those that are not or are unknown. For the non-approved or unknown foreign countries, the board will add a 2-year US experience requirement along with education and examination requirements similar to those required of US engineers. Finally, a provision is added for the board to waive the prescriptive licensure requirements in this rule and issue a license to an international expert in unique fields of engineering without first approving the licensing process of that country so long as they meet the minimum requirements of 54-1219 Idaho Code. This provision is added to enable unique international expertise to be available on a case-by-case basis when needed.

CONTACT INFORMATION, WEB ADDRESS, ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning this negotiated rulemaking, contact Keith Simila, P.E., (208) 373-7210. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the Board of Professional Engineers and Professional Land Surveyors web site at the following web address: <http://www.ipels.idaho.gov>.

All written comments must be directed to the undersigned and must be delivered on or before May 23, 2014.

DATED: March 24, 2014

Keith Simila, P.E.
Executive Director
Board of Professional Engineers and Professional Land Surveyors
1510 E. Watertower St.
Meridian, Idaho 83642
Telephone: (208) 373-7210
Fax: (208) 373-7213
Email: keith.simila@ipels.idaho.gov

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

10.01.02 - RULES OF PROFESSIONAL RESPONSIBILITY

DOCKET NO. 10-0102-1401

NOTICE OF INTENT TO PROMULGATE RULES - NEGOTIATED RULEMAKING

AUTHORITY: In compliance with Sections 67-5220(1) and 67-5220(2), Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Section 54-1202, Idaho Code.

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

Monday, May 19, 2014 -- 9:00 a.m.

**1510 E. Watertower St., Ste. 110
Meridian, Idaho 83642**

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

Attend the meeting and present your views and thoughts on the draft amendments or submit your views and thoughts in writing not later than May 23, 2014.

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

The draft amendments will correct an incorrect citation to Section 67-2320, Idaho Code. The board intends that all provisions of 67-2320 be complied with when soliciting work from public organizations, not just section (2)(a). The existing citation is ambiguous. The rule change clarifies the intent of the board.

CONTACT INFORMATION, WEB ADDRESS, ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning this negotiated rulemaking, contact Keith Simila, P.E., (208) 373-7210. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the Board of Professional Engineers and Professional Land Surveyors web site at the following web address: <http://www.ipels.idaho.gov>.

All written comments must be directed to the undersigned and must be delivered on or before May 23, 2014.

DATED: March 24, 2014.

Keith Simila, P.E.,
Executive Director
Board of Professional Engineers and Professional Land Surveyors
1510 E. Watertower St.
Meridian, Idaho 83642
Telephone: (208) 373-7210
Fax: (208) 373-7213
Email: keith.simila@ipels.idaho.gov

IDAPA 16 - DEPARTMENT OF HEALTH AND WELFARE

16.03.10 - MEDICAID ENHANCED PLAN BENEFITS

DOCKET NO. 16-0310-1401

NOTICE OF INTENT TO PROMULGATE RULES - NEGOTIATED RULEMAKING

AUTHORITY: In compliance with Sections 67-5220(1) and 67-5220(2), Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Sections 56-202(b), 56-264, and 56-1610, Idaho Code.

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

**Tuesday, May 13, 2014
10:00 a.m. MDT (9:00 PDT)**

**Medicaid Central Office
Conference Room D-East and D-West
3232 Elder Street
Boise, Idaho**

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 negotiations;
2. Provide oral or written recommendations, or both, at the negotiated rulemaking meetings;
3. Participate in the negotiated meeting via phone conference call:
Call **1-888-706-6468**,
Enter Participant Code: **239663**; or
4. Submit written recommendations and comments to this address on or before May 20, 2014:

Stephanie Perry, Alternative Care Coordinator
Division of Medicaid
Idaho Department of Health and Welfare
P.O. Box 83720
Boise, ID 83720-0009
FAX: (208) 332-7286

Hand Deliver to:
3232 Elder Street
Boise, ID 83705

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

The 2014 Legislature passed two bills that amended Section 56-255, Idaho Code, governing services provided through the Medicaid Program. The Department is holding negotiations to meet legislative intent for the following bills:

House Bill 395 (2014) restored services related to preventive dental services to adults with disabilities or special health needs.

House Bill 476 (2014) directed the Department to develop rules that allow for developmental disability budget modifications when needed for a participant to obtain or maintain employment.

CONTACT INFORMATION, WEB ADDRESS, ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning this negotiated rulemaking, contact Stephanie Perry at (208) 364-1878. All written comments on the negotiated rules must be directed to the contact person above and must be delivered on or before May 20, 2014.

DATED this 3rd day of April, 2014.

Tamara Prisock
DHW - Administrative Rules Unit
450 W. State Street - 10th Floor
P.O. Box 83720
Boise, ID 83720-0036
phone: (208) 334-5500; fax: (208) 334-6558
email: dhwrules@dhw.idaho.gov

IDAPA 16 - DEPARTMENT OF HEALTH AND WELFARE

**16.03.11 - RULES GOVERNING INTERMEDIATE CARE FACILITIES
FOR PEOPLE WITH INTELLECTUAL DISABILITIES (ICF/ID)**

DOCKET NO. 16-0311-1401

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 39-1303a, 39-1307, and 67-6532, Idaho Code.

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

ORIGINATING LOCATION -- LIVE IN-PERSON MEETING
Friday, May 16, 2014 -- 1:30 p.m. MDT (12:30 p.m. PDT)

Region 4 - Medicaid / Licensing and Certification Central Office
3232 Elder Street
Conference Room D-East and D-West
Boise, Idaho

VIDEO CONFERENCE LOCATIONS

1:30 p.m. (Local)
Region 5 - DHW Office
823 Harrison
Room 116
Twin Falls, ID

12:30 p.m. (Local)
Region 1 - DHW Office
1250 Ironwood Drive
Conference Room
Coeur d'Alene, ID

1:30 p.m. (Local)
Region 6 - DHW Office
1070 Hiline Road
Room 230
Pocatello, ID

METHOD OF PARTICIPATION: Persons wishing to participate must do one of the following:

1. Attend the negotiated rulemaking meetings live in Boise, or participate by video conference in Regions above;
2. Provide oral or written recommendations, or both, at the negotiated rulemaking meetings; or
3. Submit written recommendations and comments to this address on or before May 30, 2014:

Debby Ransom, Bureau Chief,
Bureau of Facility Standards
Idaho Department of Health and Welfare
P.O. Box 83720
Boise, ID 83720-0009

Hand Deliver to:
3232 Elder Street
Boise, ID 83705

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:

A majority of the ICF/ID rules in this chapter have not been updated since July 1, 1980. Changes in treatment and intervention strategies for individuals with intellectual disabilities have progressed substantially rendering these rules to be obsolete and no longer applicable to current best practices and procedures. The Department is holding negotiated rulemaking for this chapter to update the rules to:

- 1) Ensure the rules are based on best practice for individuals with intellectual disabilities;
- 2) Ensure the best possible outcomes for individuals with intellectual disabilities;
- 3) Ensure individuals with intellectual disabilities residing in ICFs/ID are safe and their needs are being met;
- 4) Have rules that are easier and less cumbersome for providers to navigate in order to increase compliance; and
- 5) Remove obsolete language from the rules to become more consistent with current science and best practices.

CONTACT INFORMATION, WEB ADDRESS, ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning this negotiated rulemaking, contact Debby Ransom at (208) 334-6626. Materials pertaining to the negotiated rulemaking under Docket No. 16-0311-1401, including any available preliminary rule drafts, can be found on the Department's web site at the following web address: www.facilitystandards.idaho.gov.

All written comments on the negotiated rules must be directed to the contact person above and must be delivered on or before May 30, 2014.

DATED this 3rd day of April, 2014.

Tamara Prisock
DHW - Administrative Rules Unit
450 W. State Street - 10th Floor
P.O. Box 83720
Boise, ID 83720-0036
phone: (208) 334-5500; fax: (208) 334-6558
email: dhwrules@dhw.idaho.gov

IDAPA 16 - DEPARTMENT OF HEALTH AND WELFARE

16.03.22 - RESIDENTIAL CARE OR ASSISTED LIVING FACILITIES IN IDAHO

DOCKET NO. 16-0322-1401

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 39-3305, Idaho Code.

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

**Tuesday, May 20, 2014
2:00 - 4:00 p.m. MDT (1:00 - 3:00 p.m. PDT)**

**Licensing and Certification Office
Conference Room D-East and D-West
3232 Elder Street
Boise, Idaho**

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

1. Attend the negotiated rulemaking meeting and participate in the negotiations;
2. Provide oral or written recommendations, or both, at the negotiated rulemaking meetings;
3. Participate in the negotiated meeting via phone conference call:
Call **1-888-906-7447**, and
Enter Participant Code: **2592570**; or
4. Submit written recommendations and comments to the following address on or before May 31, 2014:
Jaime Simpson, Supervisor
Idaho Department of Health and Welfare
Division of Licensing and Certification
P.O. Box 83720
Boise, ID 83720-0009
FAX: (208) 364-1888
E-mail: RALF@dhw.idaho.gov

Meeting details and documents can be accessed via the Residential Care/Assisted Living Providers' web page at: www.assistedliving.dhw.idaho.gov.

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:

This negotiated rulemaking is being held to update and revise licensing requirements for Residential Care and Assisted Living Facilities operating in Idaho.

CONTACT INFORMATION, WEB ADDRESS, ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning this negotiated rulemaking, contact Jamie Simpson at (208) 364-1962. All written comments on the negotiated rules must be directed to the contact person above and must be delivered on or before May 31, 2014.

DATED this 24 day of April, 2014.

Tamara Prisock
DHW - Administrative Rules Unit
450 W. State Street - 10th Floor
P.O. Box 83720
Boise, ID 83720-0036
phone: (208) 334-5500; fax: (208) 334-6558
email: dhwrules@dhw.idaho.gov

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

DOCKET NO. 16-0612-1401

NOTICE OF RULEMAKING - PROPOSED RULE

AUTHORITY: In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Section 56-202, Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than May 21, 2014.

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

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

The state's current co-pay structure is based on a percentage of the cost of child care which does not comply with the federal regulations for the child care program. In order to be in compliance with the federal requirements, the state's co-pay structure is being changed to income based. The current ICCP rules reference a percentage based co-pay for non-working students, which must be removed from the rules for compliance with federal regulations. This rule was published as a temporary rule effective November 1, 2013, and was published under this docket number in the January 1, 2014, Idaho Administrative Bulletin, [Vol. 14-1, pages 116 and 117](#).

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

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

There is no anticipated fiscal impact to the state general fund or any other funds due to this rulemaking.

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(2), Idaho Code, negotiated rulemaking was not conducted because the rule was adopted as a temporary rule align with federal regulations.

INCORPORATION BY REFERENCE: No materials are being incorporated by reference into these rules.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the proposed rule, contact Ericka Medalen at (208) 334-5641.

Anyone may submit written comments regarding the proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before May 28, 2014.

DATED this 3rd day of April, 2014.

Tamara Prisock
DHW - Administrative Rules Unit
450 W. State Street - 10th Floor
P.O. Box 83720
Boise, ID 83720-0036
phone: (208) 334-5500
fax: (208) 334-6558
email: dhwrules@dhw.idaho.gov

Pursuant to Section 67-5221(1), Idaho Code, this docket is being published as a proposed rule.

This docket has been previously published as a temporary rule.
The temporary effective date is November 1, 2013.

The original text of the temporary rule was published in the Idaho Administrative Bulletin,
Volume 14-1, January 1, 2014, pages 116 and 117.

THE FOLLOWING IS THE PROPOSED TEXT OF DOCKET NO. 16-0612-1401
(Only those Sections being amended are shown.)

503. ~~NON WORKING~~ STUDENT CO-PAYMENT REQUIREMENTS.

01. Post-Secondary Student. ()

a. A post-secondary student ~~who does not~~ working less than ten (10) hours per week will be required to pay a ~~thirty-one percent (31%)~~ co-payment. ()

b. A post-secondary student who works ~~at least~~ ten (10) hours or more per week will have a co-payment based on ~~his total~~ family income. ()

02. High School or GED Student. A student who is finishing in high school, or who is taking English as a second language or GED courses will ~~be excluded from the requirement to pay a thirty-one percent (31%) co-payment and will instead~~ have a co-payment based ~~only~~ on his family income. (3-26-08)()

IDAPA 26 - DEPARTMENT OF PARKS AND RECREATION

26.01.21 - RULES GOVERNING THE ADMINISTRATION OF PARK AND RECREATION AREAS AND FACILITIES

DOCKET NO. 26-0121-1401

NOTICE OF RULEMAKING - TEMPORARY AND PROPOSED RULE

EFFECTIVE DATE: The effective date of the temporary rule is March 18th, 2014.

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, and proposed rulemaking procedures have been initiated. The action is authorized pursuant to Sections 67-4210, 67-4223, and 67-4249, Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than May 21, 2014.

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

Hearings are not planned but will be held if requested.

DESCRIPTIVE SUMMARY: The following is the required finding and concise statement of its supporting reasons for adopting a temporary rule and a nontechnical explanation of the substance and purpose of the proposed rulemaking:

In order to implement and comply with Senate Bill 1346aa, which was passed during the 2014 legislative session and signed into law on March 18, 2014, the Idaho Department of Parks and Recreation (IDPR) proposes changes to IDAPA 26.01.21 to clarify and delineate lease terms for Cottage site leases and for Float Home Moorage site leases within Heyburn State Park.

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

The rule changes are required to implement Senate Bill S1346aa.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased: NA

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

There is no expected fiscal impact.

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(2), Idaho Code, negotiated rulemaking was not conducted because rule changes are required to come into compliance with state law.

INCORPORATION BY REFERENCE: Pursuant to Section 67-5229(2) (a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule:

No materials are incorporated by reference in this rulemaking.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the temporary and proposed rule, contact Tammy L. Kolsky, 208-514-2427.

Anyone may submit written comments regarding the proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before May 28, 2014.

DATED this 4th day of April, 2014.

Tammy L. Kolsky
Program Manager
Idaho Department of Parks and Recreation
5657 Warm Springs Avenue, Boise, ID 83716-8700
P.O. Box 87320, Boise ID 83720-0065
Telephone: 208-514-2427; FAX 208-514-2435

**THE FOLLOWING IS THE TEMPORARY RULE AND THE PROPOSED TEXT
OF DOCKET NO. 26-0121-1401
(Only those Sections being amended are shown.)**

050. LEASE TERM.

01. Cottage Site Leases. Leases shall be issued for a term not to exceed ten (10) years commencing upon January 1 of the year the lease is entered into and ending upon December 31 of the final year of the term.
~~(7-1-99)~~(3-18-14)T

02. Float Home Moorage Site Leases. Lease of a float home moorage site may be issued for a period of up to thirty (30) years commencing upon January 1 of the year the lease is entered into and ending upon December 31 of the final year of the term. (3-18-14)T

IDAPA 35 - IDAHO STATE TAX COMMISSION

35.01.02 - IDAHO SALES AND USE TAX ADMINISTRATIVE RULES

DOCKET NO. 35-0102-1401

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 63-105 & 63-3624, Idaho Code.

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

**Thursday, May 15, 2014
1:30 p.m. MDT**

**Idaho State Tax Commission
Room 1CR5 - 1st Floor
800 Park Boulevard, Plaza IV
Boise, ID 83712-7742**

It is possible that the rule will require further discussion in a follow up meeting that will also be open to the public. Notification of any additional meetings will be posted on the Tax Commission's website at <http://tax.idaho.gov/i-1090.cfm> at least one week prior to the date of the meeting. All meeting agendas are also posted on the website which will contain specific information on the rules that will be discussed at a particular meeting. Keep in mind there is no guarantee that a particular rule will be discussed beyond the meeting noted above, so please plan accordingly.

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

Attend the scheduled meeting and participate in the discussion for any of the rules on the agenda. You may join the meeting by phone if you wish; however, notice must be given in advance so accommodations can be arranged.

Submit a written comment addressing one or more of the rules to be negotiated. All written comments must be received by July 31, 2014, or they may not receive consideration in the negotiated rulemaking process.

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:

Rule 027. Computer Equipment, Software, and Data Services - The passage of House Bill 598 during the 2014 Idaho legislative session necessitates changes to this rule. Of particular note, the bill clarified that software accessed remotely (i.e. cloud-based software) is not tangible personal property and removed existing exceptions. In addition, software delivered electronically or by the load and leave method will no longer be tangible personal property. Finally, the bill clarified that digital books, games, music, and movies are tangible personal property regardless of how they are transferred to the user. All of the above statutory changes will need to be addressed in the rule.

Rule 100. Computer Equipment, Software, and Data Services - During the 2013 rulemaking, representatives with the optometry industry and eyeglass and contact sellers discussed concerns related to the rules governing sales of eyeglasses and contacts along with associated services. The Commission ran out of time to promulgate an amended rule last year but promised the interested parties that a rule would be discussed in 2014. There are two specific areas of concerns that were raised during last year's discussion:

1. The proper amount of sales tax to charge on a sale of eyeglasses or contacts when the customer has insurance coverage and the precise insurance reimbursement is unknown at the time of the transaction with the customer; and

2. Services that should be included in the taxable sales price of the eyeglasses.

The Commission wishes to discuss both these issues and to amend the rule to provide the necessary guidance in these areas. In the course of the discussion, it is possible that other related issues may be discussed and addressed as part of the rule change.

CONTACT INFORMATION, WEB ADDRESS, ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning this negotiated rulemaking, contact McLean Russell, Tax Policy Specialist at (208) 334-7531. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the agency's web site at the following web address: <http://tax.idaho.gov/i-1090.cfm>.

All written comments must be directed to the undersigned and must be delivered on or before July 31, 2014. Comments may be submitted via e-mail to sherry.briscoe@tax.idaho.gov.

Dated this 8th day of April, 2014.

McLean Russell
Tax Policy Specialist
Idaho State Tax Commission
800 Park Blvd, Plaza IV
PO Box 36
Boise, ID 83722-0410
Phone: (208) 334-7531
Fax: (208) 334-7844

IDAPA 35 - STATE TAX COMMISSION

35.01.03 - PROPERTY TAX ADMINISTRATIVE RULES

DOCKET NO. 35-0103-1302

NOTICE OF LEGISLATIVE ACTION - FINAL RULE

AUTHORITY: In compliance with Sections 67-5224 and 67-5291, Idaho Code, notice is hereby given that the legislature has taken action by concurrent resolution on the pending rule promulgated under Docket No. 35-0103-1302. The affected section, in its final version as affected by House Concurrent Resolution (HCR) 61, is being reprinted here pursuant to this legislative action.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement regarding the partial rejection:

Pursuant to **HCR 61**, IDAPA 35.01.03, "Property Tax Administrative Rules," Section 205, only, promulgated as a pending rule under Docket Number 35-0103-1302, is not consistent with legislative intent and is rejected and declared null, void and of no force and effect. Only Section 205 is reprinted here as affected by HCR 61 following this notice.

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

DATED this 3rd day of April, 2014.

Dennis Stevenson
Administrative Rules Coordinator
Office of the Administrative Rules Coordinator
Department of Administration
P. O. Box 83720, Boise, ID 83720-0306
email: rulescoordinator@adm.idaho.gov

REJECTED PENDING RULE

205. PERSONAL AND REAL PROPERTY -- DEFINITIONS AND GUIDELINES (RULE 205).
Sections 39-4105, 39-4301, 63-201, 63-302, 63-309, 63-602KK, 63-1703, 63-2801, Idaho Code. (5-8-09)

01. Real Property. Real property is defined in Section 63-201, Idaho Code. Real property consists of land and improvements. (5-8-09)

a. Land. Land is real property as well as all rights and privileges thereto belonging or any way appertaining to the land. (5-8-09)

b. Law and Courts. Real property also consists of all other property which the law defines, or the courts may interpret, declare, and hold to be real property under the letter, spirit, intent, and meaning of the law. (5-8-09)

c. Improvements. Improvements are buildings, structures, fences, and similar property that is built upon land. Improvements are real property regardless of whether or not such improvements are owned separately from the ownership of the land upon or to which the same may be erected, affixed, or attached. (5-8-09)

02. Personal Property. Personal property is defined in Section 63-201, Idaho Code, as everything that is the subject of ownership that is not real property. (5-8-09)

03. Fixtures. Fixtures are defined in Section 63-201, Idaho Code. (5-8-09)

a. ~~Three~~ part factor test. If an item of property satisfies all three tests, the item becomes a fixture and therefore real property. (5-8-09)()

i. Annexation. Although once moveable chattels, articles become accessory to and a part of improvements to real property by having been physically or constructively incorporated therein or annexed or affixed thereto in such a manner that removing them would cause material injury or damage to the real property; and (5-8-09)

ii. Adaptation. The use or purpose of an item is integral to the use of the real property to which it is affixed; and (5-8-09)

iii. Intent. Items should be considered personal property unless a person would reasonably be considered to intend to make the articles, during their useful life, permanent additions to the real property. The intent depends on an objective standard and what a reasonable person would consider permanent and not the subjective intention of the owner of the property. (5-8-09)

b. Fixtures does not include machinery, equipment, or other articles that are affixed to real property to enable the proper utilization of such articles. (5-8-09)

04. Property Eligible For The Exemption in Section 63-602KK(2), Idaho Code. ()

a. Personal property means everything that is the subject of ownership and that is not included within the term real property. Real property means land and all rights and privileges thereto belonging or any way appertaining and all other property which the law defines, or the courts may interpret, declare and hold to be real property under the letter, spirit, intent and meaning of the law. Real property also includes improvements. Improvements means all buildings, structures, fences, water ditches constructed for mining, manufacturing or origination purposes, and fixtures, whether or not such improvements are owned separately from the ownership of the land upon or to which the same may be erected, affixed or attached. The three factor test is the predominant determinant when considering whether fixtures are real property. When Subsection 205.03.b. of this rule and the three (3) factor test create a conflict in determining whether an item is eligible, the three (3) factor test shall resolve the conflict. ()

b. Examples. Based upon the definitions of personal and real property in Subsection 250.04.a. of this rule the following items are real property and are not eligible for the exemption in 63-602KK(2), of Idaho Code: ()

i. Cell towers and similar structures; ()

ii. Underground storage tanks; ()

iii. Poles and towers; ()

iv. Signposts; ()

v. Pipelines and conduit; ()

vi. Railroad track; ()

045. Operating Property. Operating Property is defined in Section 63-201, Idaho Code. For any purpose for which the distinction between personal property and real property is relevant or necessary for operating property, operating property will be characterized as personal or real based upon the criteria stated in this guideline and the rules of the State Tax Commission. (5-8-09)

SECTION 205 - FINAL RULE PER HOUSE CONCURRENT RESOLUTION 61

205. PERSONAL AND REAL PROPERTY -- DEFINITIONS AND GUIDELINES (RULE 205).
Sections 39-4105, 39-4301, 63-201, 63-302, 63-309, 63-602KK, 63-1703, 63-2801, Idaho Code. (5-8-09)

01. Real Property. Real property is defined in Section 63-201, Idaho Code. Real property consists of land and improvements. (5-8-09)

a. Land. Land is real property as well as all rights and privileges thereto belonging or any way appertaining to the land. (5-8-09)

b. Law and Courts. Real property also consists of all other property which the law defines, or the courts may interpret, declare, and hold to be real property under the letter, spirit, intent, and meaning of the law. (5-8-09)

c. Improvements. Improvements are buildings, structures, fences, and similar property that is built upon land. Improvements are real property regardless of whether or not such improvements are owned separately from the ownership of the land upon or to which the same may be erected, affixed, or attached. (5-8-09)

02. Personal Property. Personal property is defined in Section 63-201, Idaho Code, as everything that is the subject of ownership that is not real property. (5-8-09)

03. Fixtures. Fixtures are defined in Section 63-201, Idaho Code. (5-8-09)

a. Three part test. If an item of property satisfies all three tests, the item becomes a fixture and therefore real property. (5-8-09)

i. Annexation. Although once moveable chattels, articles become accessory to and a part of improvements to real property by having been physically or constructively incorporated therein or annexed or affixed thereto in such a manner that removing them would cause material injury or damage to the real property; and (5-8-09)

ii. Adaptation. The use or purpose of an item is integral to the use of the real property to which it is affixed; and (5-8-09)

iii. Intent. Items should be considered personal property unless a person would reasonably be considered to intend to make the articles, during their useful life, permanent additions to the real property. The intent depends on an objective standard and what a reasonable person would consider permanent and not the subjective intention of the owner of the property. (5-8-09)

b. Fixtures does not include machinery, equipment, or other articles that are affixed to real property to enable the proper utilization of such articles. (5-8-09)

04. Operating Property. Operating Property is defined in Section 63-201, Idaho Code. For any purpose for which the distinction between personal property and real property is relevant or necessary for operating property, operating property will be characterized as personal or real based upon the criteria stated in this guideline and the rules of the State Tax Commission. (5-8-09)

IDAPA 35 - IDAHO STATE TAX COMMISSION

35.01.03 - PROPERTY TAX ADMINISTRATIVE RULES

DOCKET NO. 35-0103-1401

NOTICE OF INTENT TO PROMULGATE RULES - NEGOTIATED RULEMAKING

AUTHORITY: In compliance with Section 67-5220, Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Section 63-105A, Idaho Code, and Section 63-802, Idaho Code.

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

Negotiated meetings will be scheduled and all scheduled meetings shall be posted and made accessible on the agency website at the address listed below.

1. Attend the negotiated rulemaking meeting(s) and participate in the negotiation process;
2. Attend through a teleconference;
3. Provide oral or written recommendations, or both, at the negotiated rulemaking meeting, and/or;
4. Submit written recommendations and comments to the address below.

Upon conclusion of the negotiated rulemaking, any unresolved issues, all key issues considered, and conclusions reached during the negotiated rulemaking will be addressed in a written summary and made available on the agency website.

Failure of interested persons to respond to this notice of intent or the lack of a sufficient number of responses to this notice of intent may result in the discontinuation of further informal proceedings. In either event the agency shall have sole discretion in determining the feasibility of scheduling and conducting informal negotiated rulemaking and may proceed directly to formal rulemaking if proceeding with negotiated rulemaking is deemed infeasible.

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:

Property Tax Rule 120 is being amended to define the subject matter of complaints and explain who may file a written complaint and states a timeline for hearing the complaint.

Property Tax Rule 609 is being amended to clarify whether or not a taxpayer who no longer owns his property prior to April 15, will continue to receive the homestead exemption.

Property Tax Rule 804 is being amended, adding clarification to explain how annexation values and subdivided (split) property values are to be adjusted and to provide directions on the handling of personal property exemption parcels.

Property Tax Rule 988 is being amended to clarify the application process and for reporting the personal property exemption offered by I.C. 63-3029B, known as the Qualified Investment Exemption (QIE) as it is affected by the personal property tax exemption offered by I.C. 63-602KK.

Property Tax Rule 995 is being amended to provide guidance to the tax commission on whether or not the value of personal property exempt pursuant to section 63-602KK, as determined for tax year 2013, will or will not be included in market value for assessment purposes. In addition the rule will provide that the tax commission will withhold sales tax from those entities that do not comply with the reporting requirements of HB 560. Also, notice and timing related to HB560 will be provided in the proposed rule.

CONTACT INFORMATION, WEB ADDRESS, ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning this negotiated rulemaking, contact Alan Dornfest, (208) 334-7742. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the commission website at the following web address: www.tax.idaho.gov.

All written comments must be directed to the address below.

Dated this April 21, 2014.

Alan Dornfest
Tax Policy Supervisor
State Tax Commission
P.O. Box 36
Boise, ID 83722-0410
(208) 334-7742

IDAPA 37 - IDAHO DEPARTMENT OF WATER RESOURCES

37.03.11 - RULES GOVERNING CONJUNCTIVE MANAGEMENT OF SURFACE AND GROUND WATER RESOURCES

DOCKET NO. 37-0311-1101

(SECOND) 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. This negotiated rulemaking action is authorized pursuant to Section 42-603, Idaho Code.

MEETING SCHEDULE: A public meeting on the negotiated rulemaking will be by teleconference as follows:

Thursday, May 29, 2014 -- 1:30 p.m. MDT

**Idaho Department of Water Resources
6th Floor Conference Room B
322 East Front Street
Boise, Idaho 83702**

METHOD OF PARTICIPATION: Persons wishing to participate in the rule making process may attend the public meeting by phone or in person and may submit written comments to the Department by a date to be established. Interested parties may contact the department for the teleconference number and pass code.

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

The rules for Conjunctive Management of Surface and Ground Water Resources (IDAPA 37.03.11) address conjunctive administration of connected ground and surface water supplies. Part 50 of the rules (IDAPA 37.03.11.050) identifies the area on the Eastern Snake Plain Aquifer (ESPA) having a common ground water supply as identified in a 1992 professional paper of the United State Geographic Services (USGS).

Clear Springs Foods filed a petition on November 2, 2010 for the Department to promulgate revisions to part 50. The Department determined that Rule 50 did not reflect current technical information and commenced negotiated rulemaking proceedings in January of 2011. Multiple public meetings were held. However, due to ongoing work related to the ESPA model and issues related to delivery calls pending before the Department, the Director stayed the rulemaking proceedings in August of 2011. The Director has now determined that the rulemaking proceedings should be restarted. This 2nd notice is intended to notify the public that the Director is continuing the negotiated rulemaking process. The meeting on May 29, 2014 is for the purpose of providing background information and to set a path forward. Additional public meetings will be scheduled.

CONTACT INFORMATION, WEB ADDRESS, ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning this negotiated rulemaking, contact: Richard M. Rigby at (208) 287-4839. Materials pertaining to the negotiated rulemaking can be found on the Department's web site at the following web address: www.idwr.idaho.gov.

All written comments must be directed to the undersigned and must be delivered on or before the date established at the May 29, 2014 meeting.

DATED this 4th day of April, 2014.

Richard M. Rigby, Senior Advisor
Idaho Department of Water Resources
322 East Front Street

P.O. Box 83720
Boise, Idaho 83720
Phone: (208) 287-4839; Fax: (208) 287-6700

IDAPA 38 - DEPARTMENT OF ADMINISTRATION

38.04.06 - RULES GOVERNING USE OF THE EXTERIOR OF STATE PROPERTY IN THE CAPITOL MALL AND OTHER STATE FACILITIES

DOCKET NO. 38-0406-1301

NOTICE OF LEGISLATIVE ACTION - FINAL RULE

AUTHORITY: In compliance with Sections 67-5224 and 67-5291, Idaho Code, notice is hereby given that the legislature has taken action by concurrent resolution on the final rule and on the pending rule promulgated under Docket No. 38-0406-1301. The affected sections, in their final version as affected by House Concurrent Resolution (HCR) 48, are being reprinted here pursuant to this legislative action.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement regarding the partial rejection:

Pursuant to **HCR 48**, IDAPA 38.04.06, "Rules Governing Use of the Exterior of State Property in the Capitol Mall and Other State Facilities," final rule Section 200, Subsection 03, and Section 400, Subsections 01 and 03, only, are not consistent with legislative intent and are declared null, void and of no force and effect.

Further, pending rule Section 201 and Section 400, Subsections 01 and 03, only, adopted as pending rules under Docket Number 38-0406-1301, are not consistent with legislative intent and are rejected and declared null, void and of no force and effect.

Only the affected sections and subsections are reprinted here as affected by HCR 48 following this notice.

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

DATED this 3rd day of April, 2014.

Dennis Stevenson
Administrative Rules Coordinator
Office of the Administrative Rules Coordinator
Department of Administration
P. O. Box 83720, Boise, ID 83720-0306
email: rulescoordinator@adm.idaho.gov

REJECTED FINAL RULES

200. USE OF STATE FACILITIES.

03. *State Events and Exhibits.* *State Events and Exhibits may occur in any portion of the State Facilities. The Director may waive all or a portion of these rules for a State Event or Exhibit.* (3-27-13)

(BREAK IN CONTINUITY OF SECTIONS)

400. LIABILITY AND INDEMNIFICATION.

01. User Retains Liability. *Individuals, entities, and organizations using the State Facilities are responsible and liable for all suits, damages, claims or liabilities arising from use of the State Facilities. The state of Idaho shall have no liability for injury to private property, including posters, placards, banners, signs, equipment, tables, materials, and displays at the State Facilities.* (3-27-13)

02. State Liability. Nothing in these rules shall extend the liability of the state of Idaho beyond that provided in the Idaho Tort Claims Act, Title 6, Chapter 9, Idaho Code. (3-27-13)

03. Indemnification. *Any individual, entity, or organization permitted to use the State Facilities is deemed to agree to indemnify the state of Idaho from and against all claims, demands, actions, or causes of action, together with any and all losses, costs, or related expenses asserted by any group or persons for bodily injury or damage to property arising out of or in any way connected with the use of the State Facilities.* (3-27-13)

04. No Endorsement. Action or inaction of the Department shall not imply endorsement or approval by the state of Idaho of the actions, objectives or views of participants in an Event or Exhibit. (3-27-13)

REJECTED PENDING RULES

201. ~~RESERVED PUBLIC USE DURATION.~~

~~*The duration of Public Use at any single facility of the State Facilities, including time for set-up and clean-up, shall not exceed seven (7) consecutive days. A Public Use may continue at the State Facilities after a seven (7) consecutive day period if the Public Use does not use the same facility for twenty-four (24) hours or more between each seven (7) consecutive day period. All items must be removed at the earlier of the conclusion of the Public Use or the end of the seven (7) consecutive day period.*~~ (____)

(BREAK IN CONTINUITY OF SECTIONS)

400. LIABILITY AND INDEMNIFICATION.

01. User Retains Liability. *Individuals, entities, and organizations using the State Facilities are responsible and liable for all suits, damages, claims or liabilities arising from their use of the State Facilities. The state of Idaho shall have no liability for injury to private property, including posters, placards, banners, signs, equipment, tables, materials, and displays at the State Facilities.* (~~3-27-13~~)(____)

02. State Liability. Nothing in these rules shall extend the liability of the state of Idaho beyond that provided in the Idaho Tort Claims Act, Title 6, Chapter 9, Idaho Code. (3-27-13)

03. Indemnification. *Any individual, entity, or organization permitted to use the State Facilities is deemed to agree to indemnify the state of Idaho from and against all claims, demands, actions, or causes of action, together with any and all losses, costs, or related expenses asserted by any group or persons for bodily injury or damage to property arising out of or in any way connected with the use of the State Facilities by the user.* (~~3-27-13~~)(____)

04. No Endorsement. Action or inaction of the Department shall not imply endorsement or approval by the state of Idaho of the actions, objectives or views of participants in ~~an Event or Exhibit~~ Public Use of the State Facilities. (~~3-27-13~~)(____)

SECTIONS 200, 201, and 400 - FINAL RULES PER HCR 48

200. USE OF STATE FACILITIES.

01. Authorized Uses by the Public. Except as provided otherwise in these rules, the State Facilities are available for Public Use. (3-18-14)

02. Prohibited Uses. The following uses are prohibited at the State Facilities: (3-27-13)

a. Commercial Activity. The State Facilities shall not be used for any activity conducted for profit and no persons shall solicit to sell any merchandise or service at the State Facilities. The following are not commercial activity prohibited by this subsection: (3-27-13)

i. Meetings or conferences for public employees or their relatives describing employee benefits and approved by a state of Idaho agency. (3-27-13)

ii. Concessions authorized by law. (3-27-13)

iii. Vaccinations may be provided in exchange for a fee without the prior written permission of the Director where approved by a state of Idaho agency, board, commission or elected official. (3-27-13)

b. Camping. (3-27-13)

c. Private Events and Exhibits. (3-27-13)

03. Priority of Uses. State Maintenance and Improvements shall have priority over all other use of the State Facilities. (3-18-14)

201. (RESERVED)

(BREAK IN CONTINUITY OF SECTIONS)

400. LIABILITY AND INDEMNIFICATION.

01. State Liability. Nothing in these rules shall extend the liability of the state of Idaho beyond that provided in the Idaho Tort Claims Act, Title 6, Chapter 9, Idaho Code. (3-27-13)

02. No Endorsement. Action or inaction of the Department shall not imply endorsement or approval by the state of Idaho of the actions, objectives or views of participants in Public Use of the State Facilities. (3-18-14)

IDAPA 38 - DEPARTMENT OF ADMINISTRATION

38.04.08 - RULES GOVERNING USE OF IDAHO STATE CAPITOL EXTERIOR

DOCKET NO. 38-0408-1301

NOTICE OF LEGISLATIVE ACTION - FINAL RULE

AUTHORITY: In compliance with Sections 67-5224 and 67-5291, Idaho Code, notice is hereby given that the legislature has taken action by concurrent resolution on the final rule and on the pending rule promulgated under Docket No. 38-0408-1301. The affected sections, in their final version as affected by House Concurrent Resolution (HCR) 47, are being reprinted here pursuant to this legislative action.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement regarding the partial rejection:

Pursuant to **HCR 47**, IDAPA 38.04.08, "Rules Governing Use of the State Capitol Exterior," final rule Section 200, Subsection 03 (200.03); Section 400, Subsection 07 (400.07); and Section 500, Subsections 01 (501.01) and 03 (501.03), only, are not consistent with legislative intent and are declared null, void and of no force and effect.

Further, pending rule Section 201 and Section 500, Subsections 01 (500.01) and 03 (500.03), adopted as pending rules under Docket Number 38-0408-1301, are not consistent with legislative intent and are rejected and declared null, void and of no force and effect.

Only the affected sections and subsections are reprinted here as affected by HCR 47 following this notice.

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

DATED this 3rd day of April, 2014.

Dennis Stevenson
Administrative Rules Coordinator
Office of the Administrative Rules Coordinator
Department of Administration
P. O. Box 83720, Boise, ID 83720-0306
email: rulescoordinator@adm.idaho.gov

REJECTED FINAL RULES

200. USE OF STATE CAPITOL EXTERIOR.

03. *State Events and Exhibits.* *State Events and Exhibits may occur in any portion of the State Capitol Exterior. The Director may waive all or a portion of these rules for a State Event or Exhibit.* (3-27-13)

(BREAK IN CONTINUITY OF SECTIONS)

400. PERMITS.

07. **Fees and Costs.** There is no fee for a Permit. Individuals, entities, and organizations may be charged for direct costs as set forth in the Permit including, but not limited to, the following: trash collection, janitorial services, and security services. (3-27-13)

(BREAK IN CONTINUITY OF SECTIONS)

500. LIABILITY AND INDEMNIFICATION.

01. **User Retains Liability.** Individuals, entities, and organizations using the State Capitol Exterior are responsible and liable for all suits, damages, claims or liabilities arising from use of the State Capitol Exterior. The state of Idaho shall have no liability for injury to private property, including posters, placards, banners, signs, equipment, tables, materials, and displays on the State Capitol Exterior. (3-27-13)

02. **State Liability.** Nothing in these rules shall extend the liability of the state of Idaho beyond that provided in the Idaho Tort Claims Act, Title 6, Chapter 9, Idaho Code. (3-27-13)

03. **Indemnification.** Any individual, entity or organization permitted to use the State Capitol Exterior is deemed to agree to indemnify the state of Idaho from and against all claims, demands, actions or causes of action, together with any and all losses, costs or related expenses asserted by any group or persons for bodily injury or damage to property arising out of or in any way connected with the use of the State Capitol Exterior. (3-27-13)

04. **No Endorsement.** The grant of a Permit and any action or inaction of the Department shall not imply endorsement or approval by the state of Idaho of the actions, objectives or views of participants in an Event or Exhibit. (3-27-13)

REJECTED PENDING RULES

201. **RESERVED PUBLIC USE DURATION.**

The duration of Public Use on the State Capitol Exterior, including time for set-up and clean-up, shall not exceed seven (7) consecutive days in one location. A Public Use may continue at the State Capitol Exterior after a seven (7) consecutive day period in such location if the Public Use does not use the State Capitol Exterior for twenty-four (24) hours or more between each seven (7) consecutive day period. All items must be removed at the earlier of the conclusion of the Public Use or the end of the seven (7) consecutive day period. ()

(BREAK IN CONTINUITY OF SECTIONS)

500. LIABILITY AND INDEMNIFICATION.

01. **User Retains Liability.** Individuals, entities, and organizations using the State Capitol Exterior are responsible and liable for all suits, damages, claims or liabilities arising from their use of the State Capitol Exterior. The state of Idaho shall have no liability for injury to private property, including posters, placards, banners, signs, equipment, tables, materials, and displays on the State Capitol Exterior. (3-27-13)()

02. **State Liability.** Nothing in these rules shall extend the liability of the state of Idaho beyond that provided in the Idaho Tort Claims Act, Title 6, Chapter 9, Idaho Code. (3-27-13)

03. **Indemnification.** Any individual, entity or organization permitted to use the State Capitol Exterior is deemed to agree to indemnify the state of Idaho from and against all claims, demands, actions or causes of action, together with any and all losses, costs or related expenses asserted by any group or persons for bodily injury or damage to property arising out of or in any way connected with the permittee's use of the State Capitol Exterior. (3-27-13)()

04. No Endorsement. The grant of a Permit and any action or inaction of the Department shall not imply endorsement or approval by the state of Idaho of the actions, objectives or views of participants in ~~an Event or Exhibit~~ Public Use of the State Facilities. (3-27-13)()

SECTIONS 200, 201, 400, and 500 - FINAL RULES PER HCR 47

200. USE OF STATE CAPITOL EXTERIOR.

01. Authorized Uses by the Public. Except as provided otherwise in these rules, the State Capitol Exterior is available for Public Use. (3-18-14)

02. Prohibited Uses. The following uses are prohibited in the State Capitol Exterior: (3-27-13)

a. Commercial Activity. The State Capitol Exterior shall not be used for any activity conducted for profit and no persons shall solicit to sell any merchandise or service on the State Capitol Exterior. (3-27-13)

b. Camping. (3-27-13)

c. Private Events and Private Exhibits. (3-27-13)

03. Priority of Uses. State Maintenance and Improvements shall have priority over all other use of the State Capitol Exterior. Public Use held under a Permit shall have priority over other Public Use. (3-18-14)

201. (RESERVED)

(BREAK IN CONTINUITY OF SECTIONS)

400. PERMITS.

01. Use Without a Permit. A Permit grants a reservation providing priority for use of the area specified in the Permit as set forth in Subsection 200.04 of these rules. Applicants desiring to obtain a Permit for use of the State Capitol Exterior outside of the Permit areas, hours or duration or who have not submitted an application within the application period may use the State Capitol Exterior, subject to the provisions of these rules, on a first-come, first used basis. Permits will be issued to groups of two (2) or more people. (3-18-14)

02. Permit Areas, Hours and Duration, and Number of Participants. (3-18-14)

a. The Director will consider and grant Permits only for Public Use of the Jefferson Street Steps. (3-18-14)

b. The Director will issue Permits reserving use of the Jefferson Street Steps only for the period between the hours of 7 a.m. and 6 p.m. on State Business Days. (3-18-14)

c. The duration of a Permit will not exceed four (4) consecutive hours. (3-27-13)

d. The Director will issue a Permit only for Public Use involving two (2) or more persons. (3-18-14)

03. Application Period. Permit applications must be received and complete at least two (2) State Business Days prior to the requested date and time period of the Permit. The Department will not accept applications submitted more than six (6) months prior to the requested date of the Permit. (3-18-14)

04. Validity. Permits are valid only for the dates, times, and locations specified on the Permit as approved by the Director. (3-27-13)

05. Distribution. Permits shall be granted by the Director on a first-come, first-served basis, subject to Subsection 200.03 of these rules. Only one (1) Permit will be granted for the Jefferson Street Steps during any period of time. (3-27-13)

06. Application Requirements. Applications for a Permit shall be in writing on a form prescribed by the Director and available at the office of the Division of Public Works and the Department's website. The Director will only process applications that are complete and signed by the individual making a request or an authorized representative of the entity or organization making the request. The Director may make reasonable inquiry to confirm the accuracy of the application and the authority of the party signing the application. (3-27-13)

07. Conditions. The Director may impose reasonable conditions on the use of the State Capitol Exterior in the Permit for the purpose of protecting persons and property. Conditions may include the acquisition of liability insurance and a bond as security for costs arising from the use. (3-27-13)

08. Transferability. Permits are non-transferable. (3-27-13)

(BREAK IN CONTINUITY OF SECTIONS)

500. LIABILITY AND INDEMNIFICATION.

01. State Liability. Nothing in these rules shall extend the liability of the state of Idaho beyond that provided in the Idaho Tort Claims Act, Title 6, Chapter 9, Idaho Code. (3-27-13)

02. No Endorsement. The grant of a Permit and any action or inaction of the Department shall not imply endorsement or approval by the state of Idaho of the actions, objectives or views of participants in Public Use of the State Facilities. (3-18-14)

IDAPA 39 - IDAHO TRANSPORTATION DEPARTMENT

39.03.50 - RULES GOVERNING SAFETY REST AREAS

DOCKET NO. 39-0350-1301

NOTICE OF LEGISLATIVE ACTION - FINAL RULE

AUTHORITY: In compliance with Sections 67-5224 and 67-5291, Idaho Code, notice is hereby given that the legislature has taken action by concurrent resolution on the final rule and on the pending rule promulgated under Docket No. 39-0350-1301. The affected sections, in their final version as affected by House Concurrent Resolution (HCR) 44, are being reprinted here pursuant to this legislative action.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement regarding the partial rejection:

Pursuant to **HCR 44**, IDAPA 39.03.50, "Rules Governing Safety Rest Areas," Final Rule Section 200, Subsection 05 (200.05), only, is rejected and declared null, void and of no force and effect.

Further, pending rule Section 200, Subsections 04. (220.04), 05. (200.05), and 06. (200.06), only, promulgated under Docket Number 39-0350-1301, are not consistent with legislative intent and are rejected and declared null, void and of no force and effect. Only Section 200 is reprinted here as affected by HCR 44 following this notice.

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

DATED this 3rd day of April, 2014.

Dennis Stevenson
Administrative Rules Coordinator
Office of the Administrative Rules Coordinator
Department of Administration
P. O. Box 83720, Boise, ID 83720-0306
email: rulescoordinator@adm.idaho.gov

REJECTED FINAL RULE

200. PUBLIC BEHAVIOR AND TREATMENT OF PUBLIC PROPERTY.

The following acts are prohibited: (12-26-90)

05. Firearms/Fireworks. *Discharging firearms or fireworks.* (12-26-90)

REJECTED PENDING RULE

200. PUBLIC BEHAVIOR AND TREATMENT OF PUBLIC PROPERTY.

The following acts are prohibited: (12-26-90)

01. Behavior. Indulging in boisterous, abusive, threatening, or indecent conduct or creating unnecessary noise which interferes with the reasonable use of the area by other visitors. (12-26-90)

02. Treatment of Natural Features or Plants. Destroying, defacing, cutting, sampling, or removing any natural feature or plant. (12-26-90)

03. Treatment of Public Property. Damaging by defacing, plugging, breaking, or removing any facility, fixture, sign or marker provided for use of the public. (12-26-90)

~~**04. Donations. Begging, panhandling, hitchhiking and asking for or accepting donations unless specifically authorized by the Idaho Transportation Department.**~~ ()

~~**045. Soliciting.** Selling ~~or offering for sale~~ of any merchandise ~~or offering of any service for sexual gratification or monetary gain.~~~~ (12-26-90)()

~~**056. Firearms/Fireworks/Incendiary Devices.** Discharging ~~firearms or~~ fireworks ~~or any other incendiary device.~~~~ (12-26-90)()

067. Noise Producing Devices. Operating or using any audio devices, including radio, television and musical instrument, and other noise producing devices, such as electrical generator plants and equipment driven by motors or engines, in such a manner and at such times so as to disturb other persons. (12-26-90)

SECTION 200 - FINAL RULE PER HOUSE CONCURRENT RESOLUTION 44

200. PUBLIC BEHAVIOR AND TREATMENT OF PUBLIC PROPERTY.

The following acts are prohibited: (12-26-90)

01. Behavior. Indulging in boisterous, abusive, threatening, or indecent conduct or creating unnecessary noise which interferes with the reasonable use of the area by other visitors. (12-26-90)

02. Treatment of Natural Features or Plants. Destroying, defacing, cutting, sampling, or removing any natural feature or plant. (12-26-90)

03. Treatment of Public Property. Damaging by defacing, plugging, breaking, or removing any facility, fixture, sign or marker provided for use of the public. (12-26-90)

04. Soliciting. Selling or offering for sale any merchandise. (12-26-90)

05. Noise Producing Devices. Operating or using any audio devices, including radio, television and musical instrument, and other noise producing devices, such as electrical generator plants and equipment driven by motors or engines, in such a manner and at such times so as to disturb other persons. (12-26-90)

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

IDAPA 59 - PUBLIC EMPLOYEE RETIREMENT SYSTEM OF IDAHO (PERSI)

59.01.06 - PERSI RETIREMENT RULES

NOTICE OF CORRECTION TO FINAL RULE

AUTHORITY: Pursuant to Section 67-5202(2), Idaho Code, notice is hereby given that the Administrative Rules Coordinator has made a correction to this final rule.

COORDINATOR'S NOTE: The correction is to the effective date of the pending rule that was inadvertently specified in the Notice of Adoption of Pending Rule. The pending rule was promulgated under Docket No. 59-0106-1301, and the inclusion of a specific effective date was inconsistent with the action taken by the PERSI Board when adopting the pending rule. Only Section 174, which is a new Section added to the rule through this rulemaking, is affected by this correction. The correct effective date for Section 174 is March 20, 2014 (3-20-14), the adjournment date of the 2014 Legislative session (sine die).

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for correcting the final rule:

The Notice of Adoption of Pending Rule (Docket No. [59-0106-1301](#)) mistakenly contained reference to an effective date of December 6, 2011. Reference to that effective date was an inadvertent technical error. The PERSI Board promulgated the rule intending that it be effective upon the Legislature's adjournment sine die at the end of the 2014 legislative session.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this correction notice, contact Joanna L. Guilfooy, Deputy Attorney General, PERSI, 287-9271.

Dated this 23rd day of April, 2014.

Dennis Stevenson
Administrative Rules Coordinator
Office of the Administrative Rules Coordinator
Department of Administration
650 W. State St.
PO Box 83720
Boise, ID 83720-0306

HOUSE CONCURRENT RESOLUTION NO. 42

LEGISLATURE OF THE STATE OF IDAHO
Sixty-Second Legislature, Second Regular Session - 2014

IN THE HOUSE OF REPRESENTATIVES
HOUSE CONCURRENT RESOLUTION NO. 42
BY HEALTH AND WELFARE COMMITTEE

A CONCURRENT RESOLUTION STATING FINDINGS OF THE LEGISLATURE
AND REJECTING A CERTAIN RULE DOCKET OF THE BOARD OF PHARMACY
RELATING TO RULES OF THE IDAHO STATE BOARD OF PHARMACY.

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

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

WHEREAS, it is the finding of the Legislature that a certain rule docket of the Board of Pharmacy relating to Rules of the Idaho State Board of Pharmacy is not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-second Idaho Legislature, the House of Representatives and the Senate concurring therein, that IDAPA 27.01.01, Board of Pharmacy, Rules of the Idaho State Board of Pharmacy, adopted as a pending rule under Docket Number **27-0101-1301**, the entire rulemaking docket, be, and the same is hereby rejected and declared null, void and of no force and effect.

Statement of Purpose / Fiscal Impact:

STATEMENT OF PURPOSE RS22840

This Concurrent Resolution rejects a certain Rule Docket of the Board of Pharmacy that relates to the Rules of the Idaho State Board of Pharmacy.

FISCAL NOTE

None.

Contact:
Representative Fred Wood
(208) 332-1000

Adopted: March 3, 2014.

HOUSE CONCURRENT RESOLUTION NO. 44

LEGISLATURE OF THE STATE OF IDAHO
Sixty-Second Legislature, Second Regular Session - 2014

IN THE HOUSE OF REPRESENTATIVES
HOUSE CONCURRENT RESOLUTION NO. 44
BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION STATING FINDINGS OF THE LEGISLATURE
AND REJECTING CERTAIN RULES OF THE IDAHO TRANSPORTATION DEPARTMENT
RELATING TO RULES GOVERNING SAFETY REST AREAS.

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

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

WHEREAS, it is the finding of the Legislature that certain rules of the Idaho Transportation Department relating to Rules Governing Safety Rest Areas are not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-second Idaho Legislature, the House of Representatives and the Senate concurring therein, that IDAPA 39.03.50, Idaho Transportation Department, Rules Governing Safety Rest Areas, final rule Section 200, Subsection 05., only, and Section 200, Subsections 04., 05. and 06., only, adopted as pending rules under Docket Number **39-0350-1301**, be, and the same are hereby rejected and declared null, void and of no force and effect.

Statement of Purpose / Fiscal Impact:

STATEMENT OF PURPOSE RS22876

This Concurrent Resolution affirms that the House Transportation and Defense Committee and the Senate Transportation Committee have both rejected identical sections of the Idaho Transportation Department's Administrative Rule Docket No. **39-0350-1301** Rules Governing Safety Rest Areas. The described sections of this Administrative Rule found within the body of this Concurrent Resolution are hereby rejected, declared null and void, and have no force or effect.

FISCAL NOTE

There is no fiscal impact.

Contact:
Representative Joe Palmer
(208) 332-1146
Senator Bert Brackett
(208) 332-1336

Adopted: March 6, 2014.

HOUSE CONCURRENT RESOLUTION NO. 47

LEGISLATURE OF THE STATE OF IDAHO
Sixty-Second Legislature, Second Regular Session - 2014

IN THE HOUSE OF REPRESENTATIVES
HOUSE CONCURRENT RESOLUTION NO. 47
BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION STATING FINDINGS OF THE LEGISLATURE AND REJECTING CERTAIN FINAL RULES AND CERTAIN PENDING RULES OF THE DEPARTMENT OF ADMINISTRATION RELATING TO RULES GOVERNING USE OF THE STATE CAPITOL EXTERIOR.

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

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

WHEREAS, it is the finding of the Legislature that certain rules of the Department of Administration relating to Rules Governing Use of the State Capitol Exterior are not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-second Idaho Legislature, the House of Representatives and the Senate concurring therein, that IDAPA 38.04.08, Department of Administration, Rules Governing Use of the State Capitol Exterior, final rules Section 200, Subsection 03., Section 400, Subsection 07., and Section 500, Subsections 01. and 03., only; and Section 201 and Section 500, Subsections 01. and 03., adopted as pending rules under Docket Number **38-0408-1301**, only, be, and the same are hereby rejected and declared null, void and of no force and effect.

Statement of Purpose / Fiscal Impact:

STATEMENT OF PURPOSE RS22983

This Concurrent Resolution rejects certain rules of the Department of Administration relating to governing use of the State Capitol Exterior

FISCAL NOTE

This Resolution has no fiscal impact.

Contact:
Representative Gayle L. Batt
(208) 332-1000

Adopted: March 18, 2014.

HOUSE CONCURRENT RESOLUTION NO. 48

LEGISLATURE OF THE STATE OF IDAHO
Sixty-Second Legislature, Second Regular Session - 2014

IN THE HOUSE OF REPRESENTATIVES
HOUSE CONCURRENT RESOLUTION NO. 48
BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION STATING FINDINGS OF THE LEGISLATURE AND REJECTING CERTAIN FINAL AND CERTAIN PENDING RULES OF THE DEPARTMENT OF ADMINISTRATION RELATING TO RULES GOVERNING USE OF THE EXTERIOR OF STATE PROPERTY IN THE CAPITOL MALL AND OTHER STATE FACILITIES.

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

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

WHEREAS, it is the finding of the Legislature that certain rules of the Department of Administration relating to Rules Governing Use of the Exterior of State Property in the Capitol Mall and Other State Facilities are not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-second Idaho Legislature, the House of Representatives and the Senate concurring therein, that IDAPA 38.04.06, Department of Administration, Rules Governing Use of the Exterior of State Property in the Capitol Mall and Other State Facilities, final rules Section 200, Subsection 03. and Section 400, Subsections 01. and 03., only; and Section 201 and Section 400, Subsections 01. and 03., adopted as pending rules under Docket Number **38-0406-1301**, only, be, and the same are hereby rejected and declared null, void and of no force and effect.

Statement of Purpose / Fiscal Impact:

STATEMENT OF PURPOSE RS22984

This Concurrent Resolution rejects certain rules of the Department of Administration governing use of the exterior of state property in the Capitol Mall and other state facilities.

FISCAL NOTE

This Resolution has no fiscal impact.

Contact:
Representative Gayle L. Batt
(208) 332-1000

Adopted: March 18, 2014.

HOUSE CONCURRENT RESOLUTION NO. 54

LEGISLATURE OF THE STATE OF IDAHO
Sixty-Second Legislature, Second Regular Session - 2014

IN THE HOUSE OF REPRESENTATIVES
HOUSE CONCURRENT RESOLUTION NO. 54
BY EDUCATION COMMITTEE

A CONCURRENT RESOLUTION STATING FINDINGS OF THE LEGISLATURE
AND REJECTING CERTAIN RULES OF THE STATE BOARD OF AND STATE DEPARTMENT
OF EDUCATION RELATING TO RULES GOVERNING THOROUGHNESS.

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

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

WHEREAS, it is the finding of the Legislature that certain rules of the State Board of and State Department of Education relating to Rules Governing Thoroughness are not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-second Idaho Legislature, the House of Representatives and the Senate concurring therein, that IDAPA 08.02.03, State Board of and State Department of Education, Rules Governing Thoroughness, Section 104, Subsections 01.a. and 02.c., only, adopted as pending rules under Docket Number **08-0203-1306**, be, and the same are hereby rejected and declared null, void and of no force and effect.

Statement of Purpose / Fiscal Impact:

STATEMENT OF PURPOSE RS22608

This Concurrent Resolution rejects a certain Rule Docket of the State Board and State Department of Education that relates to Physical Education requirements.

FISCAL NOTE

There is no fiscal impact to the General Fund.

Contact:
Representative Reed DeMordaunt
(208) 332-1000

Adopted: March 12, 2014.

HOUSE CONCURRENT RESOLUTION NO. 55

LEGISLATURE OF THE STATE OF IDAHO
Sixty-Second Legislature, Second Regular Session - 2014

IN THE HOUSE OF REPRESENTATIVES
HOUSE CONCURRENT RESOLUTION NO. 55
BY EDUCATION COMMITTEE

A CONCURRENT RESOLUTION STATING FINDINGS OF THE LEGISLATURE
AND REJECTING A CERTAIN RULE OF THE STATE BOARD OF AND STATE DEPARTMENT OF
EDUCATION RELATING TO RULES GOVERNING UNIFORMITY.

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

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

WHEREAS, it is the finding of the Legislature that a certain rule of the State Board of and State Department of Education relating to Rules Governing Uniformity is not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-second Idaho Legislature, the House of Representatives and the Senate concurring therein, that IDAPA 08.02.02, State Board of and State Department of Education, Rules Governing Uniformity, Section 023., Subsection 03., only, adopted as a pending rule under Docket Number **08-0202-1308**, be, and the same is hereby rejected and declared null, void and of no force and effect.

Statement of Purpose / Fiscal Impact:

STATEMENT OF PURPOSE RS22609

This Concurrent Resolution rejects a certain Rule Docket of the State Board and State Department of Education that relates to Endorsements.

FISCAL NOTE

No Fiscal Impact to the General Fund.

Contact:
Representative Reed DeMordaunt
(208) 332-1000

Adopted: March 12, 2014.

HOUSE CONCURRENT RESOLUTION NO. 61

LEGISLATURE OF THE STATE OF IDAHO
Sixty-Second Legislature, Second Regular Session - 2014

IN THE HOUSE OF REPRESENTATIVES
HOUSE CONCURRENT RESOLUTION NO. 61
BY REVENUE AND TAXATION COMMITTEE

A CONCURRENT RESOLUTION STATING FINDINGS OF THE LEGISLATURE
AND REJECTING A CERTAIN RULE OF THE STATE TAX COMMISSION
RELATING TO PROPERTY TAX ADMINISTRATIVE RULES.

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

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

WHEREAS, it is the finding of the Legislature that a certain rule of the State Tax Commission relating to Property Tax Administrative Rules is not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-second Idaho Legislature, the House of Representatives and the Senate concurring therein, that IDAPA 35.01.03, State Tax Commission, Property Tax Administrative Rules, Section 205, adopted as a pending rule under Docket Number **35-0103-1302**, only, be, and the same is hereby rejected and declared null, void and of no force and effect.

Statement of Purpose / Fiscal Impact:

STATEMENT OF PURPOSE RS23164

This legislation would reject Rule 205, Docket No. 35-0103-1302.

FISCAL NOTE

There is no anticipated fiscal impact.

Contact:
Representative Mike Moyle
(208) 332-1000

Adopted: March 20, 2014.

SENATE CONCURRENT RESOLUTION NO. 133

LEGISLATURE OF THE STATE OF IDAHO
Sixty-Second Legislature, Second Regular Session - 2014

IN THE SENATE
SENATE CONCURRENT RESOLUTION NO. 133
BY RESOURCES AND ENVIRONMENT COMMITTEE

A CONCURRENT RESOLUTION STATING FINDINGS OF THE LEGISLATURE AND REJECTING
A CERTAIN RULE DOCKET OF THE OUTFITTERS AND GUIDES LICENSING BOARD
RELATING TO RULES OF THE OUTFITTERS AND GUIDES LICENSING BOARD.

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

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

WHEREAS, it is the finding of the Legislature that a certain rule docket of the Outfitters and Guides Licensing Board relating to Rules of the Outfitters and Guides Licensing Board is not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-second Idaho Legislature, the Senate and the House of Representatives concurring therein, that IDAPA 25.01.01, Outfitters and Guides Licensing Board, Rules of the Outfitters and Guides Licensing Board, adopted as a pending rule under Docket Number **25-0101-1201**, the entire rulemaking docket, be, and the same is hereby rejected and declared null, void and of no force and effect.

Statement of Purpose / Fiscal Impact:

STATEMENT OF PURPOSE RS22661

This Senate Concurrent Resolution rejects Docket No. 25-0101-1201 of the Outfitters and Guides Licensing Board.

FISCAL NOTE

There is no fiscal impact.

Contact:
Senator Steve Bair
(208) 332-1000

Adopted: February 25, 2014.

SENATE CONCURRENT RESOLUTION NO. 136

LEGISLATURE OF THE STATE OF IDAHO
Sixty-Second Legislature, Second Regular Session - 2014

IN THE SENATE
SENATE CONCURRENT RESOLUTION NO. 136
BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION STATING FINDINGS OF THE LEGISLATURE AND REJECTING
A CERTAIN RULE DOCKET OF THE DEPARTMENT OF AGRICULTURE RELATING
TO RULES GOVERNING NOXIOUS WEED FREE GRAVEL AND ROCK PRODUCTS.

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

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

WHEREAS, it is the finding of the Legislature that a certain rule docket of the Department of Agriculture relating to Rules Governing Noxious Weed Free Gravel and Rock Products is not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-second Idaho Legislature, the Senate and the House of Representatives concurring therein, that IDAPA 02.06.23, Department of Agriculture, Rules Governing Noxious Weed Free Gravel and Rock Products, adopted as a pending rule under Docket Number **02-0623-1301**, the entire rulemaking docket, be, and the same is hereby rejected and declared null, void and of no force and effect.

Statement of Purpose / Fiscal Impact:

STATEMENT OF PURPOSE RS22913

This is a Senate Concurrent Resolution to reject certain rules submitted for review by the Agricultural Affairs Committee, as they relate to the Department of Agriculture Rules Governing Noxious Weed Free Gravel and Rock Products, adopted as a pending rule under Docket Number 02-0623-1301, which were found to be inconsistent with legislative intent.

FISCAL NOTE

There is no fiscal impact.

Contact:
Senator Jim Guthrie
(208) 332-1000

Adopted: March 12, 2014.

SENATE CONCURRENT RESOLUTION NO. 138

LEGISLATURE OF THE STATE OF IDAHO
Sixty-Second Legislature, Second Regular Session - 2014

IN THE SENATE
SENATE CONCURRENT RESOLUTION NO. 138
BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION STATING FINDINGS OF THE LEGISLATURE AND REJECTING
A CERTAIN RULE DOCKET OF THE IDAHO BOARD OF LICENSURE OF PROFESSIONAL
ENGINEERS AND PROFESSIONAL LAND SURVEYORS RELATING TO RULES OF PROCEDURE.

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

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

WHEREAS, it is the finding of the Legislature that a certain rule docket of the Idaho Board of Professional Engineers and Professional Land Surveyors relating to Rules of Procedure is not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-second Idaho Legislature, the Senate and the House of Representatives concurring therein, that IDAPA 10.01.01, Idaho Board of Professional Engineers and Professional Land Surveyors, Rules of Procedure, adopted as a pending rule under Docket Number **10-0101-1301**, the entire rulemaking docket, be, and the same is hereby rejected and declared null, void and of no force and effect.

Statement of Purpose / Fiscal Impact:

STATEMENT OF PURPOSE RS22891

A concurrent resolution stating the findings of the Legislature and rejecting a certain rule docket of the Idaho Board of Licensure of Professional Engineers and Professional Land Surveyors relating to rules of procedure.

FISCAL NOTE

There is no fiscal impact.

Contact:
Senator Jim Patrick
(208) 332-1000

Adopted: March 14, 2014.

SENATE CONCURRENT RESOLUTION NO. 147

LEGISLATURE OF THE STATE OF IDAHO
Sixty-Second Legislature, Second Regular Session - 2014

IN THE SENATE
SENATE CONCURRENT RESOLUTION NO. 147
BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION STATING LEGISLATIVE FINDINGS AND APPROVING
ADMINISTRATIVE RULES THAT IMPOSE A FEE OR CHARGE.

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-second Idaho Legislature, the Senate and the House of Representatives concurring therein, that all pending administrative rules or portions of pending administrative rules adopted by state agencies pursuant to the Administrative Procedure Act during the prior calendar year, and submitted through the Office of the Administrative Rules Coordinator to the Legislature for review during the 2014 legislative session, which impose a fee or charge, be, and the same are approved and shall be in full force and effect upon the adoption of this concurrent resolution or upon the date specified in the administrative rule.

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

Statement of Purpose / Fiscal Impact:

STATEMENT OF PURPOSE RS23057

By statute, state agency rules promulgated under the Idaho Administrative Procedures Act that impose a fee or charge do not go into effect unless approved by concurrent resolution of the Legislature. This concurrent resolution approves agency rules imposing a fee or charge that were adopted during the prior calendar year and were submitted through the Office of the Administrative Rules Coordinator to the Legislature for review during the 2014 legislative session, which shall be in full force and effect upon the adoption of this concurrent resolution or upon the date specified in the administrative rule.

FISCAL NOTE

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

Contact:
Dennis Stevenson, Administrative Rules Coordinator
Office of the Administrative Rules Coordinator
(208) 332-1822

Adopted: March 20, 2014.

SENATE CONCURRENT RESOLUTION NO. 148

LEGISLATURE OF THE STATE OF IDAHO
Sixty-Second Legislature, Second Regular Session - 2014

IN THE SENATE
SENATE CONCURRENT RESOLUTION NO. 148
BY STATE AFFAIRS COMMITTEE

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

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-second Idaho Legislature, the Senate and the House of Representatives concurring therein, that all temporary rules adopted by state agencies pursuant to the Administrative Procedure Act and submitted to the Legislature at the Legislature's request through the Office of the Administrative Rules Coordinator for review during the 2014 legislative session, be, and the same are approved.

BE IT FURTHER RESOLVED that a temporary rule or partial temporary rule approved by this concurrent resolution shall remain in effect until it expires by its own terms or by operation of law or until it is replaced by a final rule, but in no event shall a temporary rule remain in effect beyond the conclusion of the First Regular Session of the Sixty-third Idaho Legislature unless it is further extended by adoption of a concurrent resolution by both houses of the Legislature. Temporary rules or sections of temporary rules which were not submitted to the Legislature for review during the 2014 legislative session shall expire by operation of statute upon adjournment of the Second Regular Session of the Sixty-second Idaho Legislature, unless approved by adoption of a separate concurrent resolution by both houses of the Legislature.

Statement of Purpose / Fiscal Impact:

STATEMENT OF PURPOSE RS23058

By statute, temporary rules promulgated by state agencies under the Idaho Administrative Procedures Act expire at the end of the current legislative session. This concurrent resolution approves and extends state agency temporary rules beyond the current legislative session.

FISCAL NOTE

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

Contact:
Dennis Stevenson, Administrative Rules Coordinator
Office of the Administrative Rules Coordinator
(208) 332-1822

Adopted: March 20, 2014.

Sections Affected Index

IDAPA 08 - STATE BOARD OF AND STATE DEPARTMENT OF EDUCATION

08.02.02 - Rules Governing Uniformity

Docket No. **08-0202-1308**

023. Endorsements E - L. 52

08.02.03 - Rules Governing Thoroughness

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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.

*The written comment submission deadline is May 28, 2014 unless otherwise noted.
Public hearing request deadline is May 21, 2014 unless otherwise noted.
(Temp & Prop) indicates the rule is both Temporary and Proposed.*

IDAPA 16 - DEPARTMENT OF HEALTH AND WELFARE

PO Box 83720 Boise, ID 83720-0036

16-0612-1401, Rules Governing the Idaho Child Care Program (ICCP). Removes reference to a percentage based co-pay for non-working students for the cost of child care and changes the state's co-pay structure to be income based.

IDAPA 26 - DEPARTMENT OF PARKS AND RECREATION

PO Box 83720 Boise, ID 83720-0065

26-0121-1401, Rules Governing the Administration of Park and Recreation Areas and Facilities. (Temp and Prop) Complies with SB1346aa by clarifying and delineating lease terms for Cottage site leases and for Float Home Moorage site leases within Heyburn State Park.

NOTICE OF INTENT TO PROMULGATE - NEGOTIATED RULEMAKING

IDAPA 07 - DIVISION OF BUILDING SAFETY

07-0106-1401, Rules Governing the Use of the National Electrical Code

07-0107-1401, Rules Governing Continuing Education Requirements

07-0501-1401, Rules of the Public Works Contractors License Board

IDAPA 10 - BOARD OF PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS

10-0101-1401, Rules of Procedure

10-0102-1401, Rules of Professional Responsibility

IDAPA 16 - DEPARTMENT OF HEALTH AND WELFARE

16-0310-1401, Medicaid Enhanced Plan Benefits

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16-0322-1401, Residential Care or Assisted Living Facilities in Idaho

IDAPA 35 - STATE TAX COMMISSION

35-0102-1401, Idaho Sales and Use Tax Administrative Rules

35-0103-1401 - Property Tax Administrative Rules

IDAPA 37 - DEPARTMENT OF WATER RESOURCES

37-0311-1101, Rules Governing Conjunctive Management of Surface and Ground Water Resources

Please refer to the Idaho Administrative Bulletin, **May 7, 2014, Volume 14-5**, for the notices and text of all rulemakings, public hearings schedules, information on negotiated rulemakings, executive orders of the Governor, 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
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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 4, 2013 -- May 7, 2014

*(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 4, 2013 that have not been
adopted as final rules and all rulemakings being promulgated after April 4, 2013 - Sine Die.)*

IDAPA 02 -- DEPARTMENT OF AGRICULTURE**02.02.14, Rules for Weights and Measures**

- 02-0214-1301** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 13-6
- 02-0214-1302** Proposed Rulemaking, Bulletin Vol. 13-7
- 02-0214-1301** Proposed Rulemaking (Fee Rule), Bulletin Vol. 13-9
- 02-0214-1302** Adoption of Pending Rule, Bulletin Vol. 13-9 (eff. *PLR 2014)
- 02-0214-1301** Adoption of Pending Fee Rule, Bulletin Vol. 13-11 (eff. *PLR 2014)
- 02-0214-1301** OAR Omnibus Rulemaking Notice - Approval of Final Fee Rule by SCR 147, Bulletin Vol. 14-5 (eff. 3-20-14)
- 02-0214-1302** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)

02.03.03, Idaho Department of Agriculture Rules Governing Pesticide and Chemigation Use and Application

- 02-0303-1301** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 13-6
- 02-0303-1302** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 13-6
- 02-0303-1301** Proposed Rulemaking, Bulletin Vol. 13-9
- 02-0303-1302** Proposed Rulemaking, Bulletin Vol. 13-9
- 02-0303-1301** Adoption of Pending Rule, Bulletin Vol. 13-11 (eff. *PLR 2014)
- 02-0303-1302** Adoption of Pending Rule, Bulletin Vol. 13-11 (eff. *PLR 2014)
- 02-0303-1301** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)
- 02-0303-1302** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)

02.04.19, Rules Governing Domestic Cervidae

- 02-0419-1301** Proposed Rulemaking, Bulletin Vol. 13-7
- 02-0419-1301** Adoption of Pending Rule, Bulletin Vol. 13-9 (eff. *PLR 2014)
- 02-0419-1301** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)

02.04.20, Rules Governing Brucellosis

- 02-0420-1301** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 13-7
- 02-0420-1301** Proposed Rulemaking, Bulletin Vol. 13-9
- 02-0420-1301** Adoption of Pending Rule, Bulletin Vol. 13-11 (eff. *PLR 2014)
- 02-0420-1301** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)

02.04.21, Rules Governing the Importation of Animals

- 02-0421-1301** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 13-6
- 02-0421-1301** Proposed Rulemaking, Bulletin Vol. 13-9
- 02-0421-1301** Adoption of Pending Rule, Bulletin Vol. 13-11 (eff. *PLR 2014)
- 02-0421-1301** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)

02.04.27, Rules Governing Deleterious Exotic Animals

- 02-0427-1301** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 13-7 (Rulemaking discontinued)

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- 02-0602-1301** Proposed Rulemaking, Bulletin Vol. 13-6
- 02-0602-1301** Adoption of Pending Rule, Bulletin Vol. 13-9 (eff. *PLR 2014)
- 02-0602-1301** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)

02.06.09, Rules Governing Invasive Species

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02.06.22, Noxious Weed Rules

- 02-0622-1301** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 13-6
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02-0622-1301 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)

02.06.23, Noxious Weed Free Gravel and Rock Products Rules

- 02-0623-1301** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 13-6
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- 02-0625-1301** Notice of Intent to Promulgate Rules - Negotiated Rulemaking (New Chapter), Bulletin Vol. 13-7
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07-0311-1301 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)

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***IDAHO STATE BOARD OF EDUCATION
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08-0106-1301 Adoption of Pending Rule, Bulletin Vol. 13-12 (eff. *PLR 2014)

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08.01.11, Registration of Postsecondary Educational Institutions and Proprietary Schools

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09.01.35, Unemployment Insurance Tax Administration Rules

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09-0135-1301 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)

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

10.01.01, Rules of Procedure

- 10-0101-1301** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 13-5
- 10-0101-1301** Notice of Proposed Rule, Bulletin Vol. 13-7
- 10-0101-1301** Adoption of Pending Rule, Bulletin Vol. 13-9 (eff. *PLR 2014)
- 10-0101-1301** OAR Omnibus Rulemaking Notice (Rulemaking Rejected by SCR 138), Bulletin Vol. 14-5 (eff. 3-14-14)
- 10-0101-1401** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-5

10.01.02, Rules of Professional Responsibility

- 10-0102-1301** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 13-5
- 10-0102-1301** Notice of Proposed Rule, Bulletin Vol. 13-7
- 10-0102-1301** Adoption of Pending Rule, Bulletin Vol. 13-9 (eff. *PLR 2014)
- 10-0102-1301** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)
- 10-0102-1401** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-5

10.01.04, Rules of Continuing Professional Development

- 10-0104-1301** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 13-5
- 10-0104-1301** Notice of Proposed Rule, Bulletin Vol. 13-7
- 10-0104-1301** Adoption of Pending Rule, Bulletin Vol. 13-9 (eff. *PLR 2014)
- 10-0104-1301** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)

IDAPA 11 -- IDAHO STATE POLICE**11.04.02, Rules Governing Simulcasting**

- 11-0402-1301** Temporary and Proposed Rulemaking, Bulletin Vol. 13-8 (eff. 7-1-13)T
- 11-0402-1301** Adoption of Pending Rule, Bulletin Vol. 14-1 (eff. *PLR 2014)
- 11-0402-1301** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)

11.04.11, Rules Governing Equine Veterinary Practices, Permitted Medications, Banned Substances and Drug Testing of Horses

- 11-0411-1301** Temporary and Proposed Rulemaking, Bulletin Vol. 13-8 (eff. 7-1-13)T
- 11-0411-1301** Adoption of Pending Rule, Bulletin Vol. 14-1 (eff. *PLR 2014)
- 11-0401-1301** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)

11.10.01, Rules Governing Idaho Public Safety and Security Information System

- 11-1001-1301** Proposed Rulemaking (Fee Rule), Bulletin Vol. 13-10
- 11-1001-1301** Adoption of Pending Fee Rule, Bulletin Vol. 14-1 (eff. *PLR 2014)
- 11-1001-1301** OAR Omnibus Rulemaking Notice - Approval of Final Fee Rule by SCR 147, Bulletin Vol. 14-5 (eff. 3-20-14)

11.10.02, Rules Governing State Criminal History Records and Crime Information

- 11-1002-1301*** Proposed Rulemaking, Bulletin Vol. 13-10
 - 11-1002-1301*** Adoption of Pending Rule, Bulletin Vol. 14-1 (eff. *PLR 2014)
 - 11-1002-1301*** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)
- * Final Rule changes chapter name from: "Rules Establishing Fees for Services - Idaho Criminal Justice Information System" to: "Rules Governing State Criminal History Records and Crime Information"*

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

- 11-1101-1301** Notice of Proposed Rule, Bulletin Vol. 13-9
- 11-1101-1301** Adoption of Pending Rule, Bulletin Vol. 13-11 (eff. *PLR 2014)
- 11-1101-1301** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)

IDAPA 13 -- IDAHO FISH AND GAME COMMISSION

13.01.04, Rules Governing Licensing

13-0104-1401 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-1

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

13-0108-1301 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 13-7 ((Rulemaking discontinued))

13-0108-1302 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 13-7

13-0108-1302 Temporary and Proposed Rulemaking, Bulletin Vol. 13-10 (eff. 8-26-13)T

13-0108-1303 Temporary and Proposed Rulemaking, Bulletin Vol. 13-10 (eff. 8-26-13)T

13-0108-1302 Adoption of Pending Rule, Bulletin Vol. 14-1 (eff. *PLR 2014)

13-0108-1303 Adoption of Pending Rule, Bulletin Vol. 14-1 (eff. *PLR 2014)

13-0108-1401 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-1

13-0108-1302 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)

13-0108-1303 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)

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

13-0109-1301 Temporary and Proposed Rulemaking, Bulletin Vol. 13-10 (eff. 8-26-13)T

13-0109-1301 Adoption of Pending Rule, Bulletin Vol. 14-1 (eff. *PLR 2014)

13-0109-1401 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-2

13-0109-1301 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)

13.01.11, Rules Governing Fish

13-0111-1301 Temporary and Proposed Rulemaking, Bulletin Vol. 13-10 (eff. 8-26-13)T

13-0111-1302 Temporary and Proposed Rulemaking, Bulletin Vol. 13-10 (eff. 8-26-13)T

13-0111-1301 Adoption of Pending Rule, Bulletin Vol. 14-1 (eff. *PLR 2014)

13-0111-1302 Adoption of Pending Rule, Bulletin Vol. 14-1 (eff. *PLR 2014)

13-0111-1301 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)

13-0111-1302 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)

13.01.17, Rules Governing the Use of Bait and Trapping for Taking Big Game Animals

13-0117-1401 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-1

IDAPA 14 -- BOARD OF REGISTRATION OF PROFESSIONAL GEOLOGISTS**14.01.01, Rules of Procedure of the Board of Registration for Professional Geologists**

14-0101-1301 Proposed Rulemaking, Bulletin Vol. 13-10

14-0101-1301 Adoption of Pending Rule, Bulletin Vol. 13-12 (eff. *PLR 2014)

14-0101-1301 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)

IDAPA 15 -- OFFICE OF THE GOVERNOR**Executive Orders of the Governor**

Executive Order No. **2014-02** Bulletin Vol. 14-5

Executive Order No. **2014-03** Bulletin Vol. 14-5

Executive Order No. **2014-01** Bulletin Vol. 14-2

Executive Order No. **2013-05** Bulletin Vol. 14-2

Executive Order No. **2013-03** Bulletin Vol. 13-5

Executive Order No. **2013-01** Bulletin Vol. 13-2

Executive Order No. **2014-04** Bulletin Vol. 14-5

Executive Order No. **2013-07** Bulletin Vol. 14-2

Executive Order No. **2013-06** Bulletin Vol. 14-2

Executive Order No. **2013-04** Bulletin Vol. 13-5

Executive Order No. **2013-02** Bulletin Vol. 13-5

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

15-0401-1301 Temporary Rulemaking, Bulletin Vol. 13-6 (eff. 7-1-13)T

- 15-0401-1302** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 13-6
15-0401-1302 Proposed Rulemaking, Bulletin Vol. 13-9
15-0401-1302 Adoption of Pending Rule, Bulletin Vol. 14-1 (eff. *PLR 2014)
15-0401-1302 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)

Military Division - Bureau of Homeland Security

15.06.03, Public Safety Communications Systems Installation and Maintenance Fee Rules

- 15-0603-1301*** Proposed Rulemaking, Bulletin Vol. 13-10
15-0603-1301* Adoption of Pending Rule, Bulletin Vol. 13-12 (eff. *PLR 2014)
15-0603-1301* OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)

**Final Rule changes chapter name from: "Public Safety Communications Rules"
to: "Public Safety Communications Systems Installation and Maintenance Fee Rules"*

15.06.04, Rules Governing the Idaho Youth Challenge Program

- 15-0604-1301** Proposed Rulemaking (New Chapter), Bulletin Vol. 13-10
15-0604-1301 Adoption of Pending Rule, Bulletin Vol. 13-12 (eff. *PLR 2014)
15-0604-1301 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)

15.06.05, Hazardous Substance Response Rules

- 15-0605-1300L** Notice of Legislative Action - Previously Codified IDAPA 15.13.02 has been redesignated as IDAPA 15.06.05, "Hazardous Substance Response Rules," Bulletin Vol. 13-10

Emergency Response Commission

15.13.01, Rules of the Idaho Emergency Response Commission

- 15-1301-1301** Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 13-10
15-1301-1301 Adoption of Pending Rule, Bulletin Vol. 13-12 (eff. *PLR 2014)
15-1301-1301 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)

IDAPA 16 -- DEPARTMENT OF HEALTH AND WELFARE

16.01.01, Emergency Medical Services (EMS) -- Advisory Committee (EMSAC)

- 16-0101-1301** Proposed Rulemaking, Bulletin Vol. 13-8
16-0101-1301 Adoption of Pending Rule, Bulletin Vol. 14-1 (eff. *PLR 2014)
16-0101-1301 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 7-1-14)

16.01.02, Emergency Medical Services (EMS) - Rule Definitions

- 16-0102-1301** Proposed Rulemaking (New Chapter), Bulletin Vol. 13-8
16-0102-1301 Adoption of Pending Rule, Bulletin Vol. 14-1 (eff. *PLR 2014)
16-0102-1301 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 7-1-14)

16.01.03, Emergency Medical Services (EMS) -- Agency Licensing Requirements

- 16-0103-1301** Proposed Rulemaking (New Chapter), Bulletin Vol. 13-8
16-0103-1301 Adoption of Pending Rule, Bulletin Vol. 14-1 (eff. *PLR 2014)
16-0103-1301 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 7-1-14)

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

- 16-0107-1301** Proposed Rulemaking, Bulletin Vol. 13-8
16-0107-1301 Adoption of Pending Rule, Bulletin Vol. 14-1 (eff. *PLR 2014)
16-0107-1301 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 7-1-14)

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

- 16-0112-1301** Proposed Rulemaking, Bulletin Vol. 13-8
16-0112-1301 Adoption of Pending Rule, Bulletin Vol. 14-1 (eff. *PLR 2014)
16-0112-1301 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 7-1-14)

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

- 16-0202-1301** Proposed Rulemaking, Bulletin Vol. 13-7
- 16-0202-1301** Adoption of Pending Rule, Bulletin Vol. 14-1 (eff. *PLR 2014)
- 16-0202-1301** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 7-1-14)

16.02.03, Emergency Medical Services

- 16-0203-1301** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 13-4
- 16-0203-1301** Notice of Intent to Promulgate Rules - Negotiated Rulemaking (Second Notice), Bulletin Vol. 13-5
- 16-0203-1301** Proposed Rulemaking, Bulletin Vol. 13-8
- 16-0203-1301** Adoption of Pending Rule, Bulletin Vol. 14-1 (eff. *PLR 2014)
- 16-0203-1301** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 7-1-14)

16.02.19, Food Safety and Sanitation Standards for Food Establishments (The Idaho Food Code)

- 16-0219-1401** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-3
- 16-0219-1401** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-4

16.03.01, Eligibility for Health Care Assistance for Families and Children

- 16-0301-1301** Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 13-10
- 16-0301-1302** Proposed Rulemaking (Chapter Rewrite), Bulletin Vol. 13-10
- 16-0301-1301** Adoption of Pending and Temporary Rule, Bulletin Vol. 14-1 (eff. (1-1-14)T - *PLR 2014)
- 16-0301-1302** Adoption of Pending and Temporary Rule, Bulletin Vol. 14-1 (eff. (1-1-14)T - *PLR 2014)
- 16-0301-1301** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)
- 16-0301-1302** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)

16.03.04, Rules Governing the Food Stamp Program in Idaho

- 16-0304-1301** Temporary and Proposed Rulemaking, Bulletin Vol. 13-10 (eff. 11-1-13)T
- 16-0304-1301** Adoption of Pending Rule, Bulletin Vol. 14-1 (eff. *PLR 2014)
- 16-0304-1301** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 7-1-14)
- 16-0304-1301** OAR Omnibus Rulemaking Notice - Extension of Temporary Rule by SCR 148, Bulletin Vol. 14-5 (eff. 11-1-13)T

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

- 16-0305-1301** Proposed Rulemaking, Bulletin Vol. 13-10
- 16-0305-1301** Adoption of Pending and Temporary Rule, Bulletin Vol. 14-1 (eff. (1-1-14)T - *PLR 2014)
- 16-0305-1301** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)

16.03.06, Refugee Medical Assistance

- 16-0306-1301** Proposed Rulemaking, Bulletin Vol. 13-10
- 16-0306-1301** Adoption of Pending and Temporary Rule, Bulletin Vol. 14-1 (eff. (1-1-14)T - *PLR 2014)
- 16-0306-1301** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)

16.03.09, Medicaid Basic Plan Benefits

- 16-0309-1301** Temporary and Proposed Rulemaking, Bulletin Vol. 13-8 (eff. 9-1-13)T
- 16-0309-1302** Proposed Rulemaking, Bulletin Vol. 13-10
- 16-0309-1303** Proposed Rulemaking, Bulletin Vol. 13-10
- 16-0309-1301** Adoption of Pending Rule, Bulletin Vol. 13-11 (eff. *PLR 2014)
- 16-0309-1302** Adoption of Pending Rule, Bulletin Vol. 14-1 (eff. *PLR 2014)
- 16-0309-1303** Adoption of Pending and Temporary Rule, Bulletin Vol. 14-1 (eff. (1-1-14)T - *PLR 2014)
- 16-0309-1301** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)
- 16-0309-1302** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)
- 16-0309-1303** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)

16.03.10, Medicaid Enhanced Plan Benefits

- 16-0310-1301** Temporary and Proposed Rulemaking, Bulletin Vol. 13-8 (eff. 9-1-13)T
- 16-0310-1301** Adoption of Pending Rule, Bulletin Vol. 13-11 (eff. *PLR 2014)
- 16-0310-1301** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)

16-0310-1401 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-5

16.03.11, Rules Governing Intermediate Care Facilities for People With Intellectual Disabilities (ICF/ID)

16-0311-1401 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-5

16.03.15, Rules and Minimum Standards for Semi-Independent Group Residential Facilities for the Developmentally Disabled or Mentally Ill

16-0315-1301 Proposed Rule (Chapter Repeal), Bulletin Vol. 13-6

16-0315-1301 Adoption of Pending Rule, Bulletin Vol. 14-1 (eff. *PLR 2014)

16-0315-1301 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)

16.03.17, Medicare/Medicaid Coordinated Plan Benefits

16-0317-1401 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-4

16.03.22, Residential Care or Assisted Living Facilities in Idaho

16-0322-1401 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-5

16.04.02, Idaho Telecommunication Service Assistance Program Rules

16-0402-1301 Temporary and Proposed Rulemaking, Bulletin Vol. 13-7 (eff. 9-1-13)T

16-0402-1301 Adoption of Pending Rule, Bulletin Vol. 13-11 (eff. *PLR 2014)

16-0402-1301 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)

16.05.01, Use and Disclosure of Department Records

16-0501-1301 Proposed Rulemaking, Bulletin Vol. 13-9

16-0501-1301 Adoption of Pending Rule, Bulletin Vol. 14-1 (eff. *PLR 2014)

16-0501-1301 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 7-1-14)

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

16-0504-1301 Proposed Rulemaking, Bulletin Vol. 13-10

16-0504-1301 Adoption of Pending Rule, Bulletin Vol. 14-1 (eff. *PLR 2014)

16-0504-1301 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)

16.05.06, Criminal History and Background Checks

16-0506-1301 Temporary and Proposed Rulemaking (Fee Rule), Bulletin Vol. 13-8 (eff. 7-1-13)T

16-0506-1302 Proposed Rulemaking, Bulletin Vol. 13-9

16-0506-1303 Proposed Rulemaking (Fee Rule), Bulletin Vol. 13-9

16-0506-1301 Adoption of Pending Fee Rule, Bulletin Vol. 13-11 (eff. *PLR 2014)

16-0506-1302 Adoption of Pending Rule, Bulletin Vol. 14-1 (eff. *PLR 2014)

16-0506-1303 Vacation of Proposed Rule, Bulletin Vol. 14-1

16-0506-1301 OAR Omnibus Rulemaking Notice - Approval of Final Fee Rule by SCR 147, Bulletin Vol. 14-5 (eff. 3-20-14)

16-0506-1302 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 7-1-14)

16.05.07, The Investigation and Enforcement of Fraud, Abuse, and Misconduct

16-0507-1301 Proposed Rulemaking, Bulletin Vol. 13-10

16-0507-1301 Adoption of Pending Rule, Bulletin Vol. 14-1 (eff. *PLR 2014)

16-0507-1301 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)

16.06.01, Child and Family Services

16-0601-1301 Temporary and Proposed Rulemaking, Bulletin Vol. 13-6 (eff. 7-1-13)T

16-0601-1302 Proposed Rulemaking (Fee Rule), Bulletin Vol. 13-9

16-0601-1301 Adoption of Pending Rule, Bulletin Vol. 13-11 (eff. *PLR 2014)

16-0601-1302 Adoption of Pending Fee Rule, Bulletin Vol. 14-1 (eff. *PLR 2014)

16-0601-1301 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)

16-0601-1302 OAR Omnibus Rulemaking Notice - Approval of Final Fee Rule by SCR 147, Bulletin Vol. 14-5 (eff. 3-20-14)

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

- 16-0612-1301** Proposed Rulemaking, Bulletin Vol. 13-10
- 16-0612-1302** Temporary and Proposed Rulemaking, Bulletin Vol. 13-11 (eff. 10-1-13)T
- 16-0612-1301** Adoption of Pending Rule, Bulletin Vol. 14-1 (eff. *PLR 2014)
- 16-0612-1302** Adoption of Pending Rule, Bulletin Vol. 14-1 (eff. *PLR 2014)
- 16-0612-1401** Temporary Rulemaking, Bulletin Vol. 14-1 (eff. 11-1-13)T
- 16-0612-1301** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)
- 16-0612-1302** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)
- 16-0612-1401** OAR Omnibus Rulemaking Notice - Extension of Temporary Rule by SCR 148, Bulletin Vol. 14-5 (eff. 11-1-13)T
- 16-0612-1401** Proposed Rulemaking, Bulletin Vol. 14-5

16.07.17, Alcohol and Substance Use Disorders Services

- 16-0717-1301** Proposed Rulemaking, Bulletin Vol. 13-9
- 16-0717-1301** Adoption of Pending Rule, Bulletin Vol. 14-1 (eff. *PLR 2014)
- 16-0717-1301** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 7-1-14)

16.07.20, Alcohol and Substance Use Disorders Treatment and Recovery Support Services Facilities and Programs

- 16-0720-1301** Proposed Rulemaking, Bulletin Vol. 13-9
- 16-0720-1301** Adoption of Pending Rule, Bulletin Vol. 14-1 (eff. *PLR 2014)
- 16-0720-1301** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 7-1-14)

16.07.30, Behavioral Health Community Crisis Centers

- 16-0730-1301** Proposed Rulemaking (New Chapter), Bulletin Vol. 13-10
- 16-0730-1301** Adoption of Pending Rule, Bulletin Vol. 14-1 (eff. *PLR 2014)
- 16-0730-1301** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 7-1-14)

16.07.33, Adult Mental Health Services

- 16-0733-1301** Proposed Rulemaking, Bulletin Vol. 13-9
- 16-0733-1301** Adoption of Pending Rule, Bulletin Vol. 13-12 (eff. (7-1-14) *PLR 2014)
- 16-0733-1301** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 7-1-14)

IDAPA 17 -- INDUSTRIAL COMMISSION**17.02.09, Medical Fees**

- 17-0209-1301** Temporary Rulemaking, Bulletin Vol. 13-7 (eff. 7-1-13)T
- 17-0209-1301** Proposed Rulemaking, Bulletin Vol. 13-10
- 17-0209-1301** Adoption of Pending Rule, Bulletin Vol. 13-12 (eff. *PLR 2014)
- 17-0209-1301** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)

17.02.10, Administrative Rules of the Industrial Commission Under the Workers' Compensation Law -- Security for Compensation -- Insurance Carriers

- 17-0210-1301** Proposed Rulemaking, Bulletin Vol. 13-10
- 17-0210-1301** Adoption of Pending Rule, Bulletin Vol. 14-1 (eff. *PLR 2014)
- 17-0210-1301** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)

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

- 17-0211-1301** Proposed Rulemaking, Bulletin Vol. 13-10
- 17-0211-1301** Adoption of Pending Rule, Bulletin Vol. 14-1 (eff. *PLR 2014)
- 17-0211-1301** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)

IDAPA 18 -- DEPARTMENT OF INSURANCE

18.01.04, Rules Pertaining to Bail Agents

- 18-0104-1301** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 13-7
- 18-0104-1301** Proposed Rulemaking, Bulletin Vol. 13-9
- 18-0104-1301** Adoption of Pending Rule, Bulletin Vol. 13-11 (eff. *PLR 2014)
- 18-0104-1301** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)

18.01.23, Rules Pertaining to Idaho Acquisitions of Control and Insurance Holding Company Systems

- 18-0123-1301*** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 13-7
- 18-0123-1301*** Proposed Rulemaking, Bulletin Vol. 13-10
- 18-0123-1301*** Adoption of Pending Rule, Bulletin Vol. 13-12 (eff. *PLR 2014)
- 18-0123-1301*** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)
**Final Rule changes chapter name from: "Rules Pertaining to the Idaho Insurance Holding Company System Regulatory Act" to: "Rules Pertaining to Idaho Acquisitions of Control and Insurance Holding Company Systems"*

18.01.30, Individual Disability and Group Supplemental Disability Insurance Minimum Standards Rule

- 18-0130-1301** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 13-7

18.01.50, Adoption of the International Fire Code

- 18-0150-1301** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 13-7
- 18-0150-1301** Proposed Rulemaking, Bulletin Vol. 13-10
- 18-0150-1301** Adoption of Pending and Temporary Rule, Bulletin Vol. 13-12 (eff. (1-1-14)T *PLR 2014)
- 18-0150-1301** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)

IDAPA 19 -- BOARD OF DENTISTRY**19.01.01, Rules of the Idaho State Board of Dentistry**

- 19-0101-1301** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 13-7
- 19-0101-1301** Proposed Rulemaking (Fee Rule), Bulletin Vol. 13-10
- 19-0101-1301** Adoption of Pending Fee Rule, Bulletin Vol. 13-12 (eff. *PLR 2014)
- 19-0101-1301** OAR Omnibus Rulemaking Notice - Approval of Final Fee Rule by SCR 147, Bulletin Vol. 14-5 (eff. 3-20-14)

IDAPA 20 -- DEPARTMENT OF LANDS**20.02.01, Rules Pertaining to the Idaho Forest Practices Act**

- 20-0201-1301** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 13-6
- 20-0201-1301** Proposed Rulemaking, Bulletin Vol. 13-9
- 20-0201-1301** Adoption of Pending Rule, Bulletin Vol. 14-1 (eff. *PLR 2014)
- 20-0201-1301** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)

IDAPA 21 -- DIVISION OF VETERANS SERVICES**21.01.02, Rules Governing Emergency Relief for Veterans**

- 21-0102-1301** Proposed Rulemaking, Bulletin Vol. 13-10
- 21-0102-1301** Adoption of Pending Rule, Bulletin Vol. 13-12 (eff. *PLR 2014)
- 21-0102-1301** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)

21.01.08, Rules Governing Veterans Recognition Fund Grant Program

- 21-0108-1301** Proposed Rulemaking (New Chapter), Bulletin Vol. 13-10
- 21-0108-1301** Adoption of Pending Rule, Bulletin Vol. 13-12 (eff. *PLR 2014)
- 21-0108-1301** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)

IDAPA 22 -- BOARD OF MEDICINE***22.01.03, Rules for the Licensure of Physician Assistants***

- 22-0103-1301** Temporary and Proposed Rulemaking, Bulletin Vol. 13-10 (eff. 8-28-13)T
- 22-0103-1301** Adoption of Pending Rule, Bulletin Vol. 13-12 (eff. *PLR 2014)
- 22-0103-1301** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)

22.01.13, Rules for the Licensure of Dieticians

- 22-0113-1301** Temporary and Proposed Rulemaking, Bulletin Vol. 13-10 (eff. 8-28-13)T
- 22-0113-1301** Adoption of Pending Rule, Bulletin Vol. 13-12 (eff. *PLR 2014)
- 22-0113-1301** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)

IDAPA 23 -- BOARD OF NURSING***23.01.01, Rules of the Idaho Board of Nursing***

- 23-0101-1301** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 13-7
- 23-0101-1301** Proposed Rulemaking, Bulletin Vol. 13-9
- 23-0101-1302** Temporary and Proposed Rulemaking, Bulletin Vol. 13-10 (eff. 7-1-13)T
- 23-0101-1301** Adoption of Pending Rule, Bulletin Vol. 13-11 (eff. *PLR 2014)
- 23-0101-1302** Adoption of Pending Rule, Bulletin Vol. 13-12 (eff. *PLR 2014)
- 23-0101-1301** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)
- 23-0101-1302** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)

IDAPA 24 -- BUREAU OF OCCUPATIONAL LICENSES***24.02.01, Rules of the Board of Barber Examiners***

- 24-0201-1301** Proposed Rulemaking, Bulletin Vol. 13-10
- 24-0201-1301** Adoption of Pending Rule, Bulletin Vol. 13-12 (eff. *PLR 2014)
- 24-0201-1301** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)

24.04.01, Rules of the Idaho Board of Cosmetology

- 24-0401-1301** Proposed Rulemaking (Fee Rule), Bulletin Vol. 13-10
- 24-0401-1301** Adoption of Pending Fee Rule, Bulletin Vol. 13-12 (eff. *PLR 2014)
- 24-0401-1301** OAR Omnibus Rulemaking Notice - Approval of Final Fee Rule by SCR 147, Bulletin Vol. 14-5 (eff. 3-20-14)

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

- 24-0501-1301** Temporary Rulemaking (Fee Rule), Bulletin Vol. 13-7 (eff. 5-8-13)T
- 24-0501-1302** Proposed Rulemaking (Fee Rule), Bulletin Vol. 13-10
- 24-0501-1302** Adoption of Pending Fee Rule, Bulletin Vol. 13-12 (eff. *PLR 2014)
- 24-0501-1302** OAR Omnibus Rulemaking Notice - Approval of Final Fee Rule by SCR 147, Bulletin Vol. 14-5 (eff. 3-20-14)

24.06.01, Rules for the Licensure of Occupational Therapists and Occupational Therapy Assistants

- (Moved From IDAPA 22)* (This rule was moved, re-indexed, and renumbered from IDAPA 22.01.09 - Board of Medicine)
- 24-0601-1301** Temporary and Proposed Rulemaking, Bulletin Vol. 13-9 (eff. 7-1-13)T
- 24-0601-1301** Adoption of Pending Rule, Bulletin Vol. 13-12 (eff. *PLR 2014)
- 24-0601-1301** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)

24.07.01, Rules of the Idaho State Board of Landscape Architects

- 24-0701-1301** Proposed Rulemaking (Fee Rule), Bulletin Vol. 13-9
- 24-0701-1301** Adoption of Pending Fee Rule, Bulletin Vol. 13-12 (eff. *PLR 2014)
- 24-0701-1301** OAR Omnibus Rulemaking Notice - Approval of Final Fee Rule by SCR 147, Bulletin Vol. 14-5 (eff. 3-20-14)

24.08.01, Rules of the State Board of Morticians

- 24-0801-1301 Proposed Rulemaking, Bulletin Vol. 13-9
- 24-0801-1301 Adoption of Pending Rule, Bulletin Vol. 13-12 (eff. *PLR 2014)
- 24-0801-1301 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)

24.11.01, Rules of the State Board of Podiatry

- 24-1101-1301 Proposed Rulemaking (Fee Rule), Bulletin Vol. 13-10
- 24-1101-1301 Adoption of Pending Fee Rule, Bulletin Vol. 13-12 (eff. *PLR 2014)
- 24-1101-1301 OAR Omnibus Rulemaking Notice - Approval of Final Fee Rule by SCR 147, Bulletin Vol. 14-5 (eff. 3-20-14)

24.13.01, Rules Governing the Physical Therapy Licensure Board

- 24-1301-1301 Proposed Rulemaking, Bulletin Vol. 13-8
- 24-1301-1302 Proposed Rulemaking (Fee Rule), Bulletin Vol. 13-8
- 24-1301-1301 Adoption of Pending Rule, Bulletin Vol. 13-12 (eff. *PLR 2014)
- 24-1301-1302 Adoption of Pending Fee Rule, Bulletin Vol. 13-12 (eff. *PLR 2014)
- 24-1301-1301 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)
- 24-1301-1302 OAR Omnibus Rulemaking Notice - Approval of Final Fee Rule by SCR 147, Bulletin Vol. 14-5 (eff. 3-20-14)

24.14.01, Rules of the State Board of Social Work Examiners

- 24-1401-1301 Temporary and Proposed Rulemaking, Bulletin Vol. 13-9 (eff. 6-19-13)T
- 24-1401-1301 Adoption of Pending Rule, Bulletin Vol. 13-12 (eff. *PLR 2014)
- 24-1401-1301 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)

24.18.01, Rules of the Real Estate Appraiser Board

- 24-1801-1301 Proposed Rulemaking, Bulletin Vol. 13-10
- 24-1801-1301 Adoption of Pending Rule, Bulletin Vol. 13-12 (eff. *PLR 2014)
- 24-1801-1301 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)

24.25.01, Rules of the Idaho Driving Businesses Licensure Board

- 24-2501-1301 Temporary and Proposed Rulemaking, Bulletin Vol. 13-7 (eff. 5-3-13)T
- 24-2501-1301 Adoption of Pending Rule, Bulletin Vol. 13-12 (eff. *PLR 2014)
- 24-2501-1301 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)

24.26.01, Rules of the Idaho Board of Midwifery

- 24-2601-1301 Proposed Rulemaking (Fee Rule), Bulletin Vol. 13-10
- 24-2601-1301 Adoption of Pending Fee Rule, Bulletin Vol. 13-12 (eff. *PLR 2014)
- 24-2601-1301 OAR Omnibus Rulemaking Notice - Approval of Final Fee Rule by SCR 147, Bulletin Vol. 14-5 (eff. 3-20-14)

IDAPA 25 -- OUTFITTERS AND GUIDES LICENSING BOARD**25.01.01, Rules of the Outfitters and Guides Licensing Board**

- 25-0101-1201 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 12-10
- 25-0101-1201 Notice of Public Hearing and Extension of Written Comment Period, Bulletin Vol. 12-11
- 25-0101-1201 Second Notice of Public Hearing/Extension of Comment Period, Bulletin Vol. 12-12
- 25-0101-1201 Proposed Rulemaking, Bulletin Vol. 13-10
- 25-0101-1201 Notice of Public Hearing, Bulletin Vol. 13-11
- 25-0101-1201 Adoption of Pending Rule, Bulletin Vol. 14-1 (eff. *PLR 2014)
- 25-0101-1201 OAR Omnibus Rulemaking Notice (Rulemaking Rejected by SCR 133), Bulletin Vol. 14-5 (eff. 2-25-14)

IDAPA 26 -- DEPARTMENT OF PARKS AND RECREATION**26.01.20, Rules Governing the Administration of Park and Recreation Areas and Facilities**

- 26-0120-1301 Proposed Rulemaking (Fee Rule), Bulletin Vol. 13-10

- 26-0120-1302** Proposed Rulemaking (Fee Rule), Bulletin Vol. 13-10
- 26-0120-1301** Adoption of Pending Fee Rule, Bulletin Vol. 14-1 (eff. *PLR 2014)
- 26-0120-1302** Adoption of Pending Fee Rule, Bulletin Vol. 14-1 (eff. *PLR 2014)
- 26-0120-1301** OAR Omnibus Rulemaking Notice - Approval of Final Fee Rule by SCR 147, Bulletin Vol. 14-5 (eff. 7-1-14)
- 26-0120-1302** OAR Omnibus Rulemaking Notice - Approval of Final Fee Rule by SCR 147, Bulletin Vol. 14-5 (eff. 7-1-14)

**26.01.21, Rules Governing Leasing Practices and Procedures for Recreational Residences
Within Heyburn State Park**

- 26-0121-1401** Temporary and Proposed Rulemaking, Bulletin Vol. 14-5 (eff. 3-18-14)T

IDAPA 27 -- BOARD OF PHARMACY

27.01.01, Rules of the Idaho State Board of Pharmacy

- 27-0101-1207** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 12-12
- 27-0101-1207** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 13-1
- 27-0101-1207** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 13-2
- 27-0101-1207** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 13-3
- 27-0101-1207** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 13-5
- 27-0101-1207** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 13-7
- 27-0101-1207** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 13-8
- 27-0101-1207** Proposed Rulemaking, Bulletin Vol. 13-10
- 27-0101-1301** Proposed Rulemaking, Bulletin Vol. 13-10
- 27-0101-1302** Proposed Rulemaking, Bulletin Vol. 13-10
- 27-0101-1207** Adoption of Pending Rule, Bulletin Vol. 13-12 (eff. *PLR 2014)
- 27-0101-1301** Adoption of Pending Rule, Bulletin Vol. 13-12 (eff. *PLR 2014)
- 27-0101-1302** Adoption of Pending Rule, Bulletin Vol. 13-12 (eff. *PLR 2014)
- 27-0101-1207** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)
- 27-0101-1301** OAR Omnibus Rulemaking Notice (Rulemaking Rejected by HCR 42), Bulletin Vol. 02-5 (eff. 3-3-14)
- 27-0101-1302** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)

IDAPA 28 -- DEPARTMENT OF COMMERCE

28.02.07, Rules Governing the Administration of the IGEN Grant Program

- 28-0207-1301** Temporary Rulemaking (New Chapter), Bulletin Vol. 13-4 (eff. 4-30-13)T
- 28-0207-1301** Proposed Rulemaking (New Chapter), Bulletin Vol. 13-10
- 28-0207-1301** Adoption of Pending Rule, Bulletin Vol. 14-1 (eff. *PLR 2014)
- 28-0207-1301** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)

28.03.01, Rules of the Idaho Opportunity Fund

- 28-0301-1301** Temporary and Proposed Rulemaking (New Chapter), Bulletin Vol. 13-9 (eff. 8-1-13)T
- 28-0301-1301** Adoption of Pending Rule, Bulletin Vol. 14-1 (eff. *PLR 2014)
- 28-0301-1301** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)

28.03.04, Rules of the Business and Jobs Development Grant Fund

- 28-0304-1301** Temporary and Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 13-9 (eff. 8-1-13)T
- 28-0304-1301** Adoption of Pending Rule, Bulletin Vol. 14-1 (eff. *PLR 2014)
- 28-0304-1301** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)

IDAPA 31 -- PUBLIC UTILITIES COMMISSION

31.01.01, Rules of Procedure of the Idaho Public Utilities Commission

- 31-0101-1301** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 13-8

- 31-0101-1301** Proposed Rulemaking, Bulletin Vol. 13-10
- 31-0101-1301** Adoption of Pending Rule, Bulletin Vol. 13-12 (eff. 2-15-13 *PLR 2014)
- 31-0101-1301** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 2-15-14)

31.71.03, Railroad Safety and Accident Reporting Rules

- 31-7103-1301** Proposed Rulemaking, Bulletin Vol. 13-10
- 31-7103-1301** Adoption of Pending Rule, Bulletin Vol. 13-12 (eff. *PLR 2014)
- 31-7103-1301** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)

IDAPA 33 -- REAL ESTATE COMMISSION**33.01.01, Rules of the Idaho Real Estate Commission**

- 33-0101-1301** Temporary and Proposed Rulemaking, Bulletin Vol. 13-8 (eff. 6-13-13)T
- 33-0101-1301** Adoption of Pending Rule, Bulletin Vol. 13-12 (eff. *PLR 2014)
- 33-0101-1301** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)

IDAPA 34 -- SECRETARY OF STATE**34.06.01, Rules Governing the Electronic Recording of Real Property**

- 34-0601-1301** Temporary and Proposed Rulemaking (New Chapter), Bulletin Vol. 13-7 (eff. 5-21-13)T
- 34-0601-1301** Adoption of Pending Rule, Bulletin Vol. 13-9 (eff. *PLR 2014)
- 34-0601-1301** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)

IDAPA 35 -- STATE TAX COMMISSION**35.01.01, Income Tax Administrative Rules**

- 35-0101-1300L** Legislative Action - Final Rule, Bulletin Vol. 13-5
- 35-0101-1301** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 13-5
- 35-0101-1301** Proposed Rulemaking, Bulletin Vol. 13-10
- 35-0101-1302** Proposed Rulemaking, Bulletin Vol. 13-10
- 35-0101-1303** Temporary and Proposed Rulemaking, Bulletin Vol. 13-11 (eff. 1-1-13)T
- 35-0101-1301** Adoption of Pending Rule, Bulletin Vol. 14-1 (eff. *PLR 2014)
- 35-0101-1302** Adoption of Pending Rule, Bulletin Vol. 14-1 (eff. *PLR 2014)
- 35-0101-1303** Adoption of Pending Rule, Bulletin Vol. 14-1 (eff. *PLR 2014)
- 35-0101-1301** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)
- 35-0101-1302** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)
- 35-0101-1303** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)

35.01.02, Idaho Sales and Use Tax Administrative Rules

- 35-0102-1301** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 13-1 (*Rulemaking Discontinued*)
- 35-0102-1302** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 13-7
- 35-0102-1302** Proposed Rulemaking, Bulletin Vol. 13-10
- 35-0102-1302** Adoption of Pending Rule, Bulletin Vol. 14-1 (eff. *PLR 2014)
- 35-0102-1302** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)
- 35-0102-1401** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-5

35.01.03, Property Tax Administrative Rules

- 35-0103-1301** Temporary Rulemaking, Bulletin Vol. 13-5
- 35-0103-1302** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 13-9
- 35-0103-1303** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 13-9
- 35-0103-1302** Proposed Rulemaking, Bulletin Vol. 13-10
- 35-0103-1302** Adoption of Pending Rule, Bulletin Vol. 14-1 (eff. *PLR 2014)
- 35-0103-1302** Final Rule - HCR 44, Bulletin Vol. 14-5 (eff. 3-6-14)

- 35-0103-1302** Notice of Final Rule - Agency Filing - Partial Rejection of Rulemaking by HCR 61, Bulletin Vol.14-5 (eff. 3-20-14)
35-0103-1401 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-5

35.01.05, Motor Fuels Tax Administrative Rules

- 35-0105-1301** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 13-5
35-0105-1301 Proposed Rulemaking, Bulletin Vol. 13-9
35-0105-1301 Adoption of Pending Rule, Bulletin Vol. 13-11 (eff. *PLR 2014)
35-0105-1301 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)

35.01.06, Hotel/Motel Room and Campground Sales Tax Administrative Rules

- 35-0106-1301** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 13-7

35.01.09, Idaho County Option Kitchen and Table Wine Tax Administrative Rules

- 35-0109-1301** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 13-7
35-0109-1301 Proposed Rulemaking, Bulletin Vol. 13-10
35-0109-1301 Adoption of Pending Rule, Bulletin Vol. 14-1 (eff. *PLR 2014)
35-0109-1301 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)

35.01.10, Idaho Cigarette and Tobacco Products Tax Administrative Rules

- 35-0110-1301** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 13-7
35-0110-1301 Proposed Rulemaking, Bulletin Vol. 13-10
35-0110-1301 Adoption of Pending Rule, Bulletin Vol. 14-1 (eff. *PLR 2014)
35-0110-1301 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)

35.01.14, Prepaid Wireless E911 Fee Administrative Rules

- 35-0114-1301** Notice of Intent to Promulgate Rules - Negotiated Rulemaking (New Chapter), Bulletin Vol. 13-7
35-0114-1301 Proposed Rulemaking (New Chapter), Bulletin Vol. 13-10
35-0114-1301 Adoption of Pending Rule, Bulletin Vol. 14-1 (eff. *PLR 2014)
35-0114-1301 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)

35.02.01, Tax Commission Administration and Enforcement Rules

- 35-0201-1301** Proposed Rulemaking, Bulletin Vol. 13-10
35-0201-1302 Proposed Rulemaking, Bulletin Vol. 13-10
35-0201-1303 Temporary and Proposed Rulemaking, Bulletin Vol. 13-11 (eff. 1-1-13)T
35-0201-1301 Adoption of Pending Rule, Bulletin Vol. 14-1 (eff. *PLR 2014)
35-0201-1302 Adoption of Pending Rule, Bulletin Vol. 14-1 (eff. *PLR 2014)
35-0201-1303 Adoption of Pending Rule, Bulletin Vol. 14-1 (eff. *PLR 2014)
35-0201-1301 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)
35-0201-1302 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)
35-0201-1303 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)

IDAPA 37 -- DEPARTMENT OF WATER RESOURCES**37.03.11, Rules for Conjunctive Management of Surface and Ground Water Resources**

- 37-0311-1101** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 11-2
37-0311-1101 (Second) Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-5

37.03.13, The Water Management Rules

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

37.03.14, Transfers

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

37.03.15, Water Management Rules - Eastern Snake Plain Aquifer**37-0315-0001** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 00-12**IDA PA 38 -- IDAHO DEPARTMENT OF ADMINISTRATION****38.04.06, Rules Governing Use of the Exterior of State Property in the Capitol Mall and Other State Facilities****38-0406-1301** Temporary and Proposed Rulemaking, Bulletin Vol. 13-5 (eff. 4-5-13)T**38-0406-1301** Adoption of Pending Rule, Bulletin Vol. 13-7 (eff. *PLR 2014)**38-0406-1301** Final Rule - HCR 48, Bulletin Vol. 14-5 (eff. 3-18-14)**38-0406-1301** Notice of Final Rule - Agency Filing - Partial Rejection of Rulemaking by HCR 48, Bulletin Vol. 14-5 (3-18-14)**38.04.08, Rules Governing Use of Idaho State Capitol Exterior****38-0408-1301** Temporary and Proposed Rulemaking, Bulletin Vol. 13-5 (eff. 4-5-13)T**38-0408-1301** Adoption of Pending Rule, Bulletin Vol. 13-7 (eff. *PLR 2014)**38-0408-1301** Final Rule - HCR 47, Bulletin Vol. 14-5 (eff. 3-18-14)**38-0408-1301** Notice of Final Rule - Agency Filing - Partial Rejection of Rulemaking by HCR 47, Bulletin Vol. 14-5 (3-18-14)**IDA PA 39 -- IDAHO TRANSPORTATION DEPARTMENT****39.02.60, Rules Governing License Plate Provisions****39-0260-1301** Temporary and Proposed Rulemaking, Bulletin Vol. 13-10 (eff. 7-1-13)T**39-0260-1301** Adoption of Pending Rule, Bulletin Vol. 14-1 (eff. *PLR 2014)**39-0260-1301** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)**39.02.71, Rules Governing Drivers License Violation Point Count System****39-0271-1301** Proposed Rulemaking, Bulletin Vol. 13-9**39-0271-1301** Adoption of Pending Rule, Bulletin Vol. 14-1 (eff. *PLR 2014)**39-0271-1301** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 1-1-14)**39.03.12, Rules Governing Safety Requirements of Overlegal Permits****39-0312-1301** Temporary and Proposed Rulemaking, Bulletin Vol. 13-9**39-0312-1301** Adoption of Pending Rule, Bulletin Vol. 14-1 (eff. *PLR 2014)**39-0312-1301** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)**39.03.15, Rules Governing Excess Weight Permits for Reducible Loads****39-0315-1301*** Temporary and Proposed Rulemaking, Bulletin Vol. 13-8 (eff. 7-1-13)T**39-0315-1301*** Adoption of Pending Rule, Bulletin Vol. 14-1 (eff. *PLR 2014)**39-0315-1301*** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)**Final Rule changes chapter name to: "Rules Governing Excess Weight Permits for Reducible Loads"
from: "Rules Governing Interstate Excess Weight Permits"***39.03.22, Rules Governing Overlegal Permits for Extra-Length, Excess Weight,
and Up to 129,000 Pound Vehicle Combinations****39-0322-1301*** Temporary and Proposed Rulemaking, Bulletin Vol. 13-8 (eff. 7-1-13)T**39-0322-1302** Proposed Rulemaking, Bulletin Vol. 13-8**39-0322-1301*** Adoption of Pending Rule, Bulletin Vol. 14-1 (eff. *PLR 2014)**39-0322-1302** Adoption of Pending Rule, Bulletin Vol. 14-1 (eff. *PLR 2014)**39-0322-1301*** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 7-1-13)**Final Rule changes chapter name to: "Rules Governing Overlegal Permits for Extra-Length, Excess Weight, and Up to
129,000 Pound Vehicle Combinations" from: "Rules Governing Overlegal Permits for Extra-Length Vehicle Combinations"***39-0322-1302** OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 4-1-14)

39.03.23, Rules Governing Revocation of Overlegal Permits

- 39-0323-1301*** Temporary and Proposed Rulemaking, Bulletin Vol. 13-8 (eff. 7-1-13)T
39-0323-1301* Adoption of Pending Rule, Bulletin Vol. 14-1 (eff. *PLR 2014)
39-0323-1301* OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)
*Final Rule changes chapter name to: "Rules Governing Revocation of Overlegal Permits"
from: "Rules Governing Revocation of Special Permits"

39.03.50, Rules Governing Safety Rest Areas

- 39-0350-1301** Proposed Rulemaking, Bulletin Vol. 13-10
39-0350-1301 Adoption of Pending Rule, Bulletin Vol. 14-1 (eff. *PLR 2014)
39-0350-1301 Final Rule - HCR 44, Bulletin Vol. 14-5 (eff. 3-6-14)
39-0350-1301 Notice of Final Rule - Agency Filing - Partial Rejection of Rulemaking by HCR 44, Bulletin Vol. 04-5 (eff. 3-6-14)

39.04.02, Rules Governing the Marking of Hazards to Air Flight

- 39-0402-1301** Temporary and Proposed Rulemaking, Bulletin Vol. 13-10 (eff. 7-1-13)T
39-0402-1301 Adoption of Pending Rule, Bulletin Vol. 14-1 (eff. *PLR 2014)
39-0402-1301 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)

39.04.04, Rules Governing Idaho Airport Aid Program

- 39-0404-1301** Proposed Rulemaking, Bulletin Vol. 13-10
39-0404-1301 Adoption of Pending Rule, Bulletin Vol. 14-1 (eff. *PLR 2014)
39-0404-1301 OAR Omnibus Rulemaking Notice - Approval of Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)

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

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