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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 2015 Bulletin is cited as Volume 15-12.

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.

1. 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.

1. 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 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.
1. 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.

1. 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.

1. 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.

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

   “05.” refers to Title 05, which is the Department of Administration’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)**
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*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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EFFECTIVE DATE: This rule has been adopted by the agency and is now pending review by the 2017 Idaho State Legislature for final approval. The pending rule becomes final and effective at the conclusion of the legislative session, unless the rule is approved or rejected in part by concurrent resolution in accordance with Sections 67-5224 and 67-5291, Idaho Code. If the pending rule is approved or rejected in part by concurrent resolution, the rule becomes final and effective upon adoption of the concurrent resolution or upon the date specified in the concurrent resolution.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Section 22-2403, Idaho Code.

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

The purpose of this rulemaking is to add four (4) genus of plants to the Idaho noxious weed list including the entire genus Cytisus, Chamaecytisus, and Spartium, including hybrids and cultivars of these genera.

Specific changes including: (1) Adding all plants and plant parts in the Genera’s of: Cytisus, Genista, Spartium, and Chamaecytisus to Idaho’s Statewide Noxious Weed List under IDAPA 02.06.22.100; (2) Removing Cytisus scoparius from the “Control” noxious weed list; and (3) Defining “sub taxa” in IDAPA 02.06.22.010.

There are no changes to the pending rule and it is being adopted as originally proposed. The complete text of the proposed rule was published in the September 7, 2016, Idaho Administrative Bulletin, Vol. 16-9, pages 22-26.

IDAHO CODE SECTION 22-101A STATEMENT: This rule does not regulate an activity not already regulated by the federal government, nor is it broader in scope or more stringent than the federal regulations.

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 fiscal impact anticipated as a result of this proposed rule.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending rule, contact Lloyd Knight, Administrator, Division of Plant Industries, (208) 332-8620 or Lloyd.knight@isda.idaho.gov.

DATED this 6th day of October, 2016.
EFFECTIVE DATE: This rule has been adopted by the agency and is now pending review by the 2017 Idaho State Legislature for final approval. The pending rule becomes final and effective at the conclusion of the legislative session, unless the rule is approved or rejected in part by concurrent resolution in accordance with Sections 67-5224 and 67-5291, Idaho Code. If the pending rule is approved or rejected in part by concurrent resolution, the rule becomes final and effective upon adoption of the concurrent resolution or upon the date specified in the concurrent resolution.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Sections 22-101(3), 22-2403, 22-2411, 22-2412, and 22-2413, Idaho Code.

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

The ISDA is a member of a national standards organization called the North American Invasive Species Management Association (NAISMA). NAISMA has standards for Noxious Weed Free Forage and Straw (NWFFS) products. NAISMA changed its NWFFS standards on February 1, 2016. ISDA will not be able to certify forage crops to the NAISMA standards until these rules are amended. Idaho has multiple manufacturers of NWFFS products (forage cubes & pellets). As currently written in the rules without the proposed changes, these products can only be certified to the previous NAISMA standards.

There are no changes to the pending rule and it is being adopted as originally proposed. The complete text of the proposed rule was published in the September 7, 2016 Idaho Administrative Bulletin, Vol. 16-9, pages 27-36.

IDAHO CODE SECTION 22-101A STATEMENT: This rule does not regulate an activity not already regulated by the federal government, nor is it broader in scope or more stringent than the federal regulations.

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 fiscal impact anticipated as a result of this proposed rule.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending rule, contact Lloyd Knight, Administrator, Division of Plant Industries, (208) 332-8620 or Lloyd.knight@isda.idaho.gov.

DATED this 6th day of October, 2016.

Brian J. Oakey, Deputy Director
Idaho State Department of Agriculture
2280 Old Penitentiary Road
P.O. Box 790
Boise, ID 83701
Phone: (208) 332-8500
Fax: (208) 334-2170
EFFECTIVE DATE: The effective date of the temporary rule is December 1, 2016.

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 Section 55-2203, Idaho Code.

PUBLIC HEARING SCHEDULE: A public hearing concerning this rulemaking is scheduled by the Idaho Damage Prevention Board and will be held as follows:

Thursday, November 10, 2016 – 9:30 AM (MST)

Idaho Division of Building Safety
1090 E. Watertower, Suite 150
Meridian, Idaho 83642

via Teleconferencing at:

1250 Ironwood Drive, Suite 220
Coeur d’Alene, ID 83814

2055 Garrett Way, Bldg. 1, Ste. 4
Pocatello, ID 83201

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

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

The Idaho legislature during the 2016 session established the Damage Prevention Board and amended the statutory scheme in Title 55, Chapter 22, Idaho Code, related to the prevention of damage of underground facilities throughout the state. In accordance with Section 55-2203, Idaho Code, the activities of the Board shall be funded by a fee established by the Board and promulgated in rule. The fee is to be imposed on an underground facility owner required by the provision of Title 55, Chapter 22, Idaho Code, to participate and cooperate with the one-number notification system each time the owner receives notice from the one-number notification service that a proposed excavation may occur within the area of their underground facility. The fee is to be collected by a one-number notification service and is payable to the Board in accordance with a schedule and in a manner established by rule of the Board. The fee is to be imposed uniformly on all owners, and is intended to defray the expenses of the Board and the Division of Building Safety in supervising, regulating and administering the provisions of Title 55, Chapter 22, Idaho Code.

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:

Section 55-2203, Idaho Code, requires the Idaho Damage Prevention Board to establish a fee to fund the activities of the Board and the Division of Building Safety in supervising, regulating and administering the provisions of Title 55, Chapter 22, Idaho Code. The fee is required to be established by the Board and promulgated in rule. The Board was just established in statute effective July 2016, and currently there is no mechanism to fund the activities of the Board or the damage prevention program within the Division. Without the fee established pursuant to this temporary rule the Board and Division are limited in their ability to operate.
FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased:

A fee of ten cents ($.10) will be imposed on the owner of an underground facility required by the provision of Title 55, Chapter 22, Idaho Code to participate and cooperate with the one-number notification system each time the owner receives notice from a one-number notification service that a proposed excavation may occur within the area of their underground facility.

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: N/A

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(2), Idaho Code, negotiated rulemaking was not conducted because the rulemaking is simple in nature. Section 55-2203, Idaho Code, requires that the Board establish a fee imposed uniformly on all facility owners required to participate in the one-number notification service, and promulgated in rule to fund the activities of the Board. This rulemaking was discussed at several Damage Prevention Board meetings since the inception of the Board in July 2016.

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: N/A

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the temporary and proposed rule, contact Steve Keys, Deputy Administrator – Operations, (208) 332-8986.

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 November 23, 2016.

DATED this 12th day of October, 2016.

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

THE FOLLOWING IS THE TEMPORARY RULE AND THE PROPOSED TEXT OF DOCKET NO. 07-1001-1601 (FEE RULE - NEW CHAPTER)

IDAPA 07
TITLE 10
CHAPTER 01

07.10.01 - RULES GOVERNING THE DAMAGE PREVENTION BOARD,
DIVISION OF BUILDING SAFETY
000. LEGAL AUTHORITY. 
The Idaho Damage Prevention Board of the Division of Building Safety is authorized under Section 55-2203, Idaho Code, to promulgate rules consistent with the act for the administration of Title 55, Chapter 22, Idaho Code, to effectuate the purposes thereof. (12-1-16)

001. TITLE AND SCOPE. 

01. Title. These rules shall be cited as IDAPA 07.10.01, “Rules Governing the Damage Prevention Board, Division of Building Safety.” (12-1-16)

02. Scope. These rules shall be applicable to underground facilities, and facility owners as established in Title 55, Chapter 22, Idaho Code. (12-1-16)

002. WRITTEN INTERPRETATIONS. 
In accordance with Section 67-5201(19)(b)(iv), Idaho Code, this agency may have written statements that pertain to the interpretation of the rules of this chapter, or to compliance with the rules of this chapter. Any such documents are available for public inspection and copying at cost at the Idaho Division of Building Safety offices. (12-1-16)

003. ADMINISTRATIVE APPEALS. 
IDAPA 04.11.01, “Idaho Rules of Administrative Procedure of the Attorney General,” Section 100, et seq., shall apply to contested cases, in addition to the provisions of Title 55, Chapter 22, Idaho Code. (12-1-16)

004. INCORPORATION BY REFERENCE. 
There are no documents incorporated by reference into these rules. (12-1-16)

005. OFFICE – OFFICE HOURS – MAILING ADDRESS AND STREET ADDRESS. 
The principal place of business of the Damage Prevention Board is at the Division of Building Safety office located at 1090 E. Watertower Street, Suite 150, Meridian, Idaho 83642. The Damage Prevention Board may also be contacted at 1250 Ironwood Drive, Suite 220, Coeur d’Alene, Idaho 83814, and at 2055 Garrett Way, Building 1, Suite 4, Pocatello, Idaho 83201. All locations are open from 8:00 a.m. to 5:00 p.m., except Saturday, Sunday and legal holidays. The telephone number of the office is (208) 334-3950. The facsimile number of the office is 1-877-810-2840. The Department website is http://dbs.idaho.gov. (12-1-16)

006. PUBLIC RECORDS ACT COMPLIANCE. 
The rules contained herein have been promulgated according to the provisions of Title 67, Chapter 52, Idaho Code, and are public records. (12-1-16)

007. FUNDING OF BOARD ACTIVITIES. 
Each owner of an underground facility shall pay a fee of ten cents ($.10) each time such owner receives notice from a one-number notification service as required by Section 55-2205, Idaho Code. The fee assessed upon the underground facility owner shall be collected by the one-number notification service, and shall be payable to the board in accord with the following schedule:

01. Fee Assessed. The fee shall be assessed on an underground facility owner for each notification issued by the one-number notification service to the underground facility owner, with the one-number notification service required to submit a summary of the number of notices issued in a given month to the board no later than fifteen (15) days following the end of the month in which the notices were issued. (12-1-16)

02. Payment Submission. The one-number notification service shall submit payment to the board for all payments received from underground facility owners no later than seventy (70) days following the end of the month in which the notices were issued to the facility owners. In those cases where the payment from the underground utility owner is received after the seventy (70) day period, the one-number service shall include late payments in its next payment to the board. (12-1-16)

03. Notices Issued. The one-number notification service shall also submit a detailed list of notices issued, including the facility owner’s contact information, for which payment has not been received within the
seventy (70) day period following the end of the month in which the notices were issued. Such list shall be updated on a monthly basis to reflect the status of all past-due payments due from underground utility owners that have not been received. (12-1-16)

04. **Civil Penalties.** Underground facility owners failing to submit payment to the one-number notification service in a timely manner shall be subject to the imposition of civil penalties and other remedies referenced in Title 55, Chapter 22, Idaho Code. (12-1-16)

008. **AUDIT OF ONE-NUMBER SERVICE RECORDS.**
The board shall have the right to review and audit the payment records of any one-number notification service relating to the collection of the ten cent ($0.10) fee imposed on underground facility owners. In the event the board wishes to conduct a review and/or audit of a one-number notification service, the board shall provide no less than a five (5) business day advance notice of the intended action. The board may delegate any responsibilities contained herein this chapter to the Division of Building Safety. (12-1-16)

009. -- 999. **(RESERVED)**
IDAPA 09 – IDAHO DEPARTMENT OF LABOR
09.01.30 – UNEMPLOYMENT INSURANCE BENEFITS
DOCKET NO. 09-0130-1601
NOTICE OF RULEMAKING - ADOPTION OF PENDING RULE

EFFECTIVE DATE: This rule has been adopted by the agency and is now pending review by the 2017 Idaho State Legislature for final approval. The pending rule becomes final and effective at the conclusion of the legislative session unless the rule is approved or rejected in part by concurrent resolution in accordance with Section 67-5224 and 67-5291, Idaho Code. If the pending rule is approved or rejected in part by concurrent resolution, the rule becomes final and effective upon adoption of the concurrent resolution or upon the date specified in the concurrent resolution.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Section 72-1333, Idaho Code.

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

There are no changes to the pending rule and it is being adopted as originally proposed. The complete text of the proposed rule was published in the September 7, 2016 Idaho Administrative Bulletin, Vol. 16-9 page 49-57.

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: N/A

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending rule, contact Joshua McKenna (208) 332-3570, ext. 3919.

DATED this 13th day of October, 2016

Joshua McKenna, Bureau Chief
Idaho Department of Labor
317 West Main Street
Boise, ID 83735
(208) 332-3570 ext. 3919
joshua.mckenna@labor.gov
NOTICE OF RULEMAKING - ADOPTION OF PENDING RULE

EFFECTIVE DATE: This rule has been adopted by the agency and is now pending review by the 2017 Idaho State Legislature for final approval. The pending rule becomes final and effective at the conclusion of the legislative session unless the rule is approved or rejected in part by concurrent resolution in accordance with Section 67-5224 and 67-5291, Idaho Code. If the pending rule is approved or rejected in part by concurrent resolution, the rule becomes final and effective upon adoption of the concurrent resolution or upon the date specified in the concurrent resolution.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Section 72-1333, Idaho Code.

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

There are no changes to the pending rule and it is being adopted as originally proposed. The complete text of the proposed rule was published in the September 7, 2016 Idaho Administrative Bulletin, Vol. 16-9 page 58-61.

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: N/A

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending rule, contact Larry Ingram (208) 332-3570, ext. 3543.

DATED this 13th day of October, 2016.

Larry Ingram, Bureau Chief
Idaho Department of Labor
317 West Main Street
Boise, ID 83735
(208) 332-3570 ext. 3543
larry.ingram@labor.idaho.gov
AUTHORITY: In compliance with Sections 67-5220(1) and 67-5220(2), Idaho Code, notice is hereby given that this
docket intends to promulgate rules and desires public comment prior to initiating formal rulemaking procedures. This
negotiated rulemaking action is authorized pursuant to Section 54-1208, Idaho Code.

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

Tuesday, January 10, 2017 - 10:00 AM
1510 E. Watertower Street, Suite 110
Meridian, ID 83642

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

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 January 9, 2017.

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

DESCRIPTIVE SUMMARY AND STATEMENT OF PURPOSE: 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 clarify that licensed professional engineer’s or land surveyor’s ethical obligations
preclude the submission bids for professional services on public projects per Section 67-2320, Idaho Code. The
current rule disallows the submission of bids. The amendment clarifies that licensees include both consultants and
sub-consultants.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING
DRAFT COPIES: For assistance on technical questions concerning this negotiated rulemaking or to obtain a
preliminary draft copy of the rule text, 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’s web site at the
following web address: http://www.ipels.idaho.gov.

Anyone may submit written comments regarding this negotiated rulemaking. All written comments must be
directed to the undersigned and must be delivered on or before January 9, 2017.

DATED this 12th day of October, 2016.

Keith Simila, Executive Director
Board of Professional Engineers and Professional Land Surveyors
1510 E Watertower St, Ste 110
Meridian, ID 83642
Phone (208) 373-7210 / Fax (208)373-7213
**IDAPA 18 – IDAHO DEPARTMENT OF INSURANCE**

**18.01.10 – PRODUCERS HANDLING OF FIDUCIARY FUNDS**

**DOCKET NO. 18-0110-1601**

**NOTICE OF RULEMAKING – ADOPTION OF PENDING RULE**

**EFFECTIVE DATE:** This rule has been adopted by the agency and is now pending review by the 2017 Idaho State Legislature for final approval. The pending rule becomes final and effective at the conclusion of the legislative session, unless the rule is approved or rejected in part by concurrent resolution in accordance with Sections 67-5224 and 67-5291, Idaho Code. If the pending rule is approved or rejected in part by concurrent resolution, the rule becomes final and effective upon adoption of the concurrent resolution or upon the date specified in the concurrent resolution.

**AUTHORITY:** In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Sections 41-211, 41-1024, and 41-1025, Idaho Code.

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

The pending rule seeks to add language amending a rule concerning insurance producers handling fiduciary funds. The rule specifically relates to bail bonds to provide deposit rules for cash collateral similar to that of other funds that insurance producers receive from clients, namely, to treat cash collateral as fiduciary funds.

There are no changes to the pending rule and it is being adopted as originally proposed. The complete text of the proposed rule was published in the September 7, 2016 Idaho Administrative Bulletin, Vol. 16-9, pages 138-142.

**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: N/A

**ASSISTANCE ON TECHNICAL QUESTIONS:** For assistance on technical questions concerning this pending rule, contact Thomas A. Donovan at (208) 334-4214, or at tom.donovan@doi.idaho.gov.

DATED this 5th day of October, 2016.

Dean L. Cameron, Director
Idaho Department of Insurance
700 W. State Street, 3rd Floor
P.O. Box 83720
Boise, ID 83702-0043
Phone: (208) 334-4250
Fax: (208) 334-4398
EFFECTIVE DATE: This rule has been adopted by the agency and is now pending review by the 2017 Idaho State Legislature for final approval. The pending rule becomes final and effective at the conclusion of the legislative session, unless the rule is approved or rejected in part by concurrent resolution in accordance with Section 67-5224 and 67-5291, Idaho Code. If the pending rule is approved or rejected in part by concurrent resolution, the rule becomes final and effective upon adoption of the concurrent resolution or upon the date specified in the concurrent resolution.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Sections 41-211 and 41-253, Idaho Code.

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

The pending rule seeks to amend the 2015 International Fire Code to match the anticipated adoption of the 2015 International Building Code by the Division of Building Safety. The pending rule adds new Section 020 (and renumbers current Section 020 as 019). The new section addresses the subject of sky lanterns by replacing the current prohibition on release of untethered sky lanterns with new language requiring a permit for their release and authorizing the local fire jurisdiction to restrict or place conditions on their release.

The text of the pending rule has been amended in accordance with Section 67-5227, Idaho Code. Only those sections that have changes that differ from the proposed text are printed in this bulletin. The complete text of the proposed rule was published in the September 7, 2016 Idaho Administrative Bulletin, Vol. 16-9, pages 143-147.

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: N/A

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning the pending rule, contact Knute Sandahl at (208) 334-4377, or at Knute.Sandahl@doi.idaho.gov.

DATED this 5th Day of October, 2016.

Dean L. Cameron, Director
Idaho Department of Insurance
700 W. State Street, 3rd Floor
P.O. Box 83720
Boise, ID 83702-0043
Phone: (208) 334-4250
Fax: (208) 334-4398
DOCKET NO. 18-0150-1601 - ADOPTION OF PENDING RULE

Substantive changes have been made to the pending rule. Italicized text that is double underscored is new text that has been added to the pending rule.

Only those sections or subsections that have changed from the original proposed text are printed in this Bulletin following this notice.

The text of the proposed rule was published in the Idaho Administrative Bulletin, Vol. 16-9, pages 143-147.

This rule has been adopted as a pending rule by the Agency and is now awaiting review and final approval by the 2017 Idaho State Legislature.

THE FOLLOWING IS THE TEXT OF THE AMENDED PENDING RULE FOR DOCKET NO. 18-0150-1601

[Codified Section 020 is being moved to Proposed Section 019 and new text for Section 020 is being introduced.]

019. (RESERVED)

020. DEFINITION OF CODE OFFICIAL, SECTION 202, INTERNATIONAL FIRE CODE.

01. Fire Code Official. Add “or as appropriate the Idaho State Fire Marshal” to the end of the definition for FIRE CODE OFFICIAL in Section 202 of the International Fire Code.

02. Driveway. Add “DRIVEWAY. A vehicular ingress and egress route that serves no more than five (5) single family dwellings, not including accessory structures.”

03. Fire Station. Add “FIRE STATION. A building, or portion of a building that provides, at a minimum, all weather protection for fire apparatus. Temperatures inside the building used for this purpose must be maintained at above thirty-two (32) degrees Fahrenheit.”

020. SKY LANTERNST, SECTION 308.1.6.3, INTERNATIONAL FIRE CODE.

01. Untethered Sky lantern. To section 308.1.6.3 delete the sentence: “A person shall not release or cause to be released an untethered sky lantern.”

02. Sky lantern permit. To section 308.1.6.3 add the following: “A person shall not release or cause to be released a sky lantern, tethered or untethered without obtaining a permit, if required by the fire code or jurisdiction. When, in the opinion of the fire code official, the release of sky lanterns, tethered or untethered, constitutes a danger to persons or property, based on the current weather conditions, knowledge of topography, vegetation, or any other reasonable factor, is authorized to require additional safeguards prior to the release of sky lanterns. The fire code official may suspend, revoke, postpone, or prohibit the release of any sky lantern at any time.”
EFFECTIVE DATE: This rule has been adopted by the agency and is now pending review by the 2017 Idaho State Legislature for final approval. The pending rule becomes final and effective at the conclusion of the legislative session, unless the rule is approved or rejected in part by concurrent resolution in accordance with Sections 67-5224 and 67-5291, Idaho Code. If the pending rule is approved or rejected in part by concurrent resolution, the rule becomes final and effective upon adoption of the concurrent resolution or upon the date specified in the concurrent resolution.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Sections 41-211 and 41-4409, Idaho Code.

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

The pending rule seeks to amend the existing rule to require all Medicare Supplement (aka Medigap) carriers to offer coverage to pre-65 Medicare eligible individuals; clarify the requirement to account for interest in projections; require experience and rate increases to be pooled among all plans offered by a company; and clarify rating/underwriting factors that can be used and when (e.g. smoking and pre-65).

There are no changes to the pending rule and it is being adopted as originally proposed. The complete text of the proposed rule was published in the September 7, 2016 Idaho Administrative Bulletin, Vol. 16-9, pages 148-158.

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: N/A

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending rule, contact Thomas A. Donovan at (208) 334-4214, or at Tom.Donovan@doi.idaho.gov.

DATED this 5th day of October, 2016.

Dean L. Cameron, Director
Idaho Department of Insurance
700 W. State Street, 3rd Floor
P.O. Box 83720
Boise, ID 83702-0043
Phone: (208) 334-4250
Fax: (208) 334-4398
**IDAPA 20 – DEPARTMENT OF LANDS**

**20.07.01 – RULES OF PRACTICE AND PROCEDURE BEFORE THE IDAHO OIL AND GAS CONSERVATION COMMISSION**

**DOCKET NO. 20-0701-1601 (CHAPTER REPEAL)**

**NOTICE OF RULEMAKING – ADOPTION OF PENDING RULE**

**EFFECTIVE DATE:** This rule has been adopted by the agency and is now pending review by the 2017 Idaho State Legislature for final approval. The pending rule becomes final and effective at the conclusion of the legislative session, unless the rule is approved or rejected in part by concurrent resolution in accordance with Section 67-5224 and 67-5291, Idaho Code. If the pending rule is approved or rejected in part by concurrent resolution, the rule becomes final and effective upon adoption of the concurrent resolution or upon the date specified in the concurrent resolution.

**AUTHORITY:** In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Sections 47-317(8), Idaho Code, and 47-319(8), Idaho Code.

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

This rulemaking will repeal the entire rule. The Rules of Practice and Procedure before the Idaho Oil and Gas Conservation Commission have an effective date of 1992. They have been superseded by the Idaho Administrative Procedures Act, which was passed after 1992. In addition, several changes to administrative proceedings were signed into law with Senate Bill 1339 during the 2016 legislative session. As a result, 20.07.01 no longer governs actions by the Idaho Oil and Gas Conservation Commission. IDL may bring forward a new set of rules in the future that would govern proceedings before the Idaho Oil and Gas Conservation Commission.

There are no changes to the pending rule and it is being adopted as originally proposed. The complete text of the proposed rule was not published as it is being repealed. Notice of Proposed Rulemaking was published in the August 3rd, 2016 Idaho Administrative Bulletin, Vol. 16-8, page 118.

**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: N/A

**ASSISTANCE ON TECHNICAL QUESTIONS:** For assistance on technical questions concerning this pending rule, contact Eric Wilson at 208-334-0261. Materials pertaining to the rulemaking can be found on the Idaho Department of Lands web site at the following web address: [http://www.idl.idaho.gov/rulemaking/index.html](http://www.idl.idaho.gov/rulemaking/index.html). Please note that this rule is proposed to be repealed, therefore no draft changes are available.

DATED this 30th day of September, 2016.

Eric Wilson  
Resource Protection and Assistance Bureau Chief  
PO Box 83720  
Boise, Idaho 83720  
(208) 334-0261
AUTHORITY: In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Sections 67-4210, 67-4223, and 67-4249, Idaho Code.

PUBLIC HEARING SCHEDULE: A public hearing concerning this rulemaking has been scheduled and will be held by the Department. Participation in this public hearing will be available as follows:

- Attend the scheduled public hearing on November 21, 2016 at the address and time posted below to provide verbal comment, as well as via telephone during this same time.

<table>
<thead>
<tr>
<th>Monday, November 21, 2016 – 6:00 to 7:00 PM (MST)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Idaho Department of Parks &amp; Recreation</td>
</tr>
<tr>
<td>5657 Warm Springs Avenue</td>
</tr>
<tr>
<td>Boise, ID 83716</td>
</tr>
<tr>
<td>via telephone during this established public hearing time</td>
</tr>
</tbody>
</table>

- Provide written comment by November 21, 2016, by mailing to the P.O. Box address posted at the end of this notice.

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

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

The Idaho Department of Parks and Recreation proposes changes to IDAPA 26, Title 1, Chapter 20, Section 010.05(a) to increase the maximum capacity of motorcycles permitted on Idaho State Park campsites from two (2) to four (4).

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 negative fiscal impact on the state general fund greater than ten thousand dollars ($10,000) during the fiscal year as a result of this rulemaking: N/A

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(1), Idaho Code, negotiated rulemaking was conducted. The Notice of Intent to Promulgate Rules - Negotiated Rulemaking was published in the September 7, 2016 Idaho Administrative Bulletin, Vol. 16-9, page 181.

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: N/A
ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the proposed rule, contact Keith Hobbs, (208) 514-2450.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before November 23, 2016.

DATED this 17th day of October, 2016.

Keith Hobbs, Operations Division Administrator
Idaho Department of Parks and Recreation
PO Box 83720
Boise 83720-0065
Phone: (208) 514-2450
Fax: (208) 334-5232

THE FOLLOWING IS THE PROPOSED TEXT OF DOCKET NO. 26-0120-1601
(Only Those Sections With Amendments Are Shown.)

010. DEFINITIONS.
As used in this chapter:

01. ADA Campsites and Facilities.
   a. ADA Designated Campsites. Campsites that have been designated and built to meet ADA accessibility requirements. These campsites are not managed exclusively for ADA use.
   b. ADA Accessible Facilities. IDPR offers some facilities that provide for ADA accessibility. These facilities are not managed exclusively for ADA use.

02. Annual Motor Vehicle Entrance Fee.
   a. The Annual Motor Vehicle Entrance Fee sticker expires December 31 of the year issued.
   b. The Annual Motor Vehicle Entrance Fee sticker may be purchased at any Idaho State Park, the Idaho Department of Parks and Recreation central or regional offices, or online.
   c. Automobiles, Trucks, Motorhomes. The sticker must be permanently affixed on the lower corner of the driver’s side windshield.
   d. All-Terrain Vehicles (ATVs), Utility Type Vehicles (UTVs), Speciality Off-Highway Vehicles (SOHVs). The sticker must be permanently affixed on the rear fender.
   e. Motorbikes. The sticker must be permanently affixed on the rider’s right fork.
   f. Snowmobiles. The sticker must be permanently affixed to the right side of the cowling located just below the hood, to the right of the validation sticker. It must be visible and legible at all times.
damage to an existing annual motor vehicle entrance fee sticker. (3-27-13)

a. The applicant must apply at any Idaho State Park, at the Idaho Department of Parks and Recreation central or regional offices, or online for replacement sticker. (3-27-13)

b. Proof of purchase must be established. (3-27-13)

c. Display and placement of the replacement sticker will comply with Subsections 010.02.c. through 010.02.f. of this Chapter. (3-27-13)

04. Board. The Idaho Park and Recreation Board, a bipartisan, six (6) member Board, appointed by the Governor. (3-13-97)

05. Camping Unit. A camping unit is the combined equipment and people capacity that a site or facility will accommodate. (3-30-06)

a. Campsites. Maximum capacity limits on each campsite are subject to each site's design and size. Unless otherwise specified, and provided the combined equipment and people fit within the designated camping area of the site selected, the maximum capacity will be one (1) family unit or a party of no more than eight (8) persons, two (2) tents and two (2) motor vehicles, or No more than one (1) RV or may occupy a site. Two (2) motorcycles and up to two (2) tents, provided the combined equipment and people fit within the designated camping area of the site selected are the equivalent of one (1) motor vehicle when determining campsite capacity. Each motorcycle will be subject to the MVEF. (4-4-13)

b. Facilities. Maximum capacity limits on each facility are subject to each facility’s design and size. The combined equipment and people occupying a facility must fit within the designated areas of the facility selected. (3-30-06)

06. Camping Day. (3-30-06)

a. For individual and group campsites the period between 2 p.m. of one (1) calendar day and 1 p.m. of the following calendar day. (3-30-06)

b. For individual and group camping facilities, the period between 3 p.m. of one (1) calendar day and 12 noon of the following calendar day. (3-30-06)

07. Campsite. (3-30-06)

a. Individual. An area within an IDPR managed campground designated for camping use by an individual camping unit or camping party. (3-30-06)

b. Group. An area within an IDPR managed campground designated for group camping use or a block of individual campsites designated for group use within a campground primarily managed for individual use. (3-30-06)

c. Facility, Individual. A camping structure within an IDPR managed campground or area designated for camping use by an individual camping party. (3-30-06)

d. Facility, Group. A camping structure within an IDPR managed campground or area designated for group use. (3-30-06)

08. Day Use. Use of any non-camping lands and/or facilities between the hours of 7 a.m. and 10 p.m. unless otherwise posted. (3-30-06)

09. Department. The Idaho Department of Parks and Recreation. (1-1-94)

10. Designated Beach. Waterfront areas designated by the park manager or designee for water-based
recreation activities. The length and width of each designated beach shall be visibly identified with signs. (3-30-06)

11. **Designated Roads and Trails.** Facilities recognizable by reasonable formal development, signing, or posted rules. (3-7-03)

12. **Director.** The Director and chief administrator of the Department, or the designee of the Director. (1-1-94)

13. **Dock and Boating Facility.** Floats, piers, and mooring buoys owned or operated by the Department. (3-13-97)

14. **Encroachments.** Non-recreational uses of lands under the control of the Board including any utilization for personal, commercial, or governmental use by a non-Department entity. (4-4-13)

15. **Extra Vehicle.** An additional motor vehicle without built in sleeping accommodations registered to a camp site. (3-27-13)

16. **Facilities.** (3-30-06)
   a. **Individual.** A camping structure within an IDPR managed campground or area designated for camping use by an individual camping party. (3-30-06)
   b. **Group.** A camping structure within an IDPR managed campground or area designated for group use. (3-30-06)

17. **Group Use.** Twenty-five (25) or more people, or any group needing special considerations or deviations from normal Department rules or activities. (1-1-94)

18. **Idaho State Parks Passport.** A sticker, purchased from any county Department of Motor Vehicles’ office in the state of Idaho, that matches a particular motor vehicle license number and expiration date, allowing that vehicle to enter Idaho State Parks without being charged a motor vehicle entrance fee. (3-27-13)
   a. Idaho State Parks Passport sticker expires concurrent with the expiration of that vehicle’s registration. (3-27-13)
   b. Display and placement of the Idaho State Parks Passport will comply with Subsections 010.02.c. through 010.02.f. of this rule. (3-27-13)

19. **Idaho State Parks Passport Replacement.** Replacement due to a motor vehicle registration transfer or damage to an existing passport.
   a. The applicant must apply in person to their county Department of Motor Vehicles’ office for this replacement sticker. (3-27-13)
   b. Display and placement of the replacement sticker will comply with Subsections 010.02.c. through 010.02.f. of this rule. (3-27-13)

20. **Motor Vehicle.** Every vehicle that is self-propelled except for vehicles moved solely by human power and motorized wheelchairs. (3-27-13)

21. **Motor Vehicle Entrance Fee (MVEF).** A fee charged for entry to or operation of a motor vehicle in an Idaho State Park. Day use expires at 10 p.m. on date of purchase or as posted; overnight camping use expires upon checkout which is 1 p.m. for a campsite and 12 noon for a facility. (3-27-13)

22. **Overnight Use.** Use of any non-camping lands for the parking of motor vehicles or trailers not associated with a campsite between the hours of 10 p.m. and 7 a.m. unless otherwise posted. (4-4-13)
23. **Overnight Use Fee.** A fee charged for overnight use of non-camping lands between the hours of 10 p.m. and 7 a.m. (4-4-13)

24. **Park or Program Manager.** The person, designated by the Director, responsible for administering and supervising particular lands, facilities, and staff that are under the jurisdiction of the Department. (3-7-03)

25. **Recreational Vehicle (RV).** A “recreational vehicle” means a vehicular type unit primarily designed as temporary living quarters for recreational, camping, or travel use, which either has its own motive power or is mounted on or drawn by another vehicle. The entities are travel trailer, camping trailer, truck camper, fifth-wheel trailer, and motorhome. It does not include pickup hoods, shells, or canopies designed, created, or modified for occupational use. (Section 39, Idaho Code) (3-27-13)

26. **Standard Amenities.** Campsite with no serviced amenities. (3-30-06)

27. **Serviced Amenities.** Serviced campsite amenities includes water, electricity, or sewer. (3-30-06)

28. **Primary Season.** The time of the year when the majority of use occurs at a park facility. (3-7-03)

29. **Vessel.** Every description of watercraft, including a seaplane on the water, used or capable of being used as a means of transportation on water, but not including float houses, diver’s aids operated and designed primarily to propel a diver below the surface of the water, and non-motorized devices not designed or modified to be used as a means of transportation on the water such as inflatable air mattresses, single inner tubes, and beach and water toys as defined in Section 67-7003(22), Idaho Code. (3-7-03)

30. **Vessel Length.** The distance measured at the centerline at the highest point above the waterline from the fore-part of the outer hull at the bow to the aft-part of the outer hull at the stern, excepting any bowsprits, railings or extraneous or additional equipment. (3-13-97)
IDAPA 35 - IDAHO STATE TAX COMMISSION
35.01.03 - PROPERTY TAX ADMINISTRATIVE RULES
DOCKET NO. 35-0103-1606
NOTICE OF RULEMAKING - ADOPTION OF TEMPORARY RULE

EFFECTIVE DATE: The effective date of the temporary rule is October 1, 2016.

AUTHORITY: In compliance with Section 67-5226, Idaho Code, notice is hereby given this agency has adopted a temporary rule. The action is authorized pursuant to Sections 67-5224 and 67-5291, Idaho Code.

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

   Rule 995 - Certification of Sales Tax Distribution. The rule is changed to provide a consistent time frame for making the distribution to taxing districts once they become compliant with their reporting requirements under Idaho Code 67-450E(4)d.

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

   Compliance with deadlines in amendments to governing law or federal programs, and confers a benefit to taxpayers.

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

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning the temporary rule, contact Alan Dornfest (208) 334-7742.

DATED this 5th day of October, 2016.

Alan Dornfest
Tax Policy Supervisor
Idaho State Tax Commission
800 Park Blvd., Plaza IV
PO Box 36
Boise, ID 83722-0410
(208) 334-7742

THE FOLLOWING IS THE TEXT OF THE TEMPORARY RULE FOR DOCKET NO. 35-0103-1606
(Only Those Sections With Amendments Are Shown.)
This rule has been adopted as a temporary rule by the Agency and is effective October 1, 2016.

995. CERTIFICATION OF SALES TAX DISTRIBUTION (RULE 995).
Section 63-3638, Idaho Code

01. Most Current Census. Population shall be from the most current population census or estimate of incorporated city populations available from “Table 4, Annual Estimates of the Resident Population for Incorporated Places in Idaho” and estimate of county populations from “Table 1, Annual Estimates of the Resident Population for
 Counties of Idaho” available from the Bureau of the Census during the quarter of the year for which any distribution
of sales tax money is to be made. If the State Tax Commission is notified that the Bureau of the Census has revised
any city or county population estimates, the revised estimates shall be used for the distribution of sales tax money.
(4-4-13)

02. Market Value for Assessment Purposes. Market value for assessment purposes shall mean the
market value certified to the State Tax Commission pursuant to Section 63-510, Idaho Code, and shall include
homeowner’s exemptions and the value of personal property exempt pursuant to Section 63-602KK(2), Idaho Code,
as determined for tax year 2013, and the amount of real and personal property value which exceeds the assessed value
shown on the base assessment roll for a revenue allocation area as defined in Section 50-2903(15), Idaho Code, for
the calendar year immediately preceding the current fiscal year. (4-11-15)

03. Current Fiscal Year. For the purposes of this section, current fiscal year shall mean the current
fiscal year of the state of Idaho. For distribution purposes, the current fiscal year shall begin with the distribution
made in October, following collection of sales taxes in July, August, and September. (3-30-01)

04. Incorporated City. Incorporated city shall, for the current fiscal year, have a duly elected mayor
and city council. (4-4-13)

05. Valuation Estimates. Valuation estimates for distribution of revenue sharing monies shall be
updated at least annually. Updated estimates shall be used beginning with the October distribution. (4-4-13)

06. Determination Date and Eligibility.

a. General eligibility. Except as provided in Paragraph 995.06.b. of this rule, the eligibility of each
city for revenue sharing monies pursuant to Section 63-3638(10)(a), Idaho Code, shall be determined as of July 1 of
the current year. Cities formed after January 1, 2001, shall also be entitled to a share of the money pursuant to the
provisions of Section 63-3638(10)(c), Idaho Code. (4-11-15)

b. Ineligibility as a result of non-compliance. Otherwise eligible taxing districts that are found to be
out of compliance with the requirements of Section 67-450B, Idaho Code, or Section 67-450E, Idaho Code, shall be
ineligible for distributions provided under Section 63-3638(10), Idaho Code, commencing with the next scheduled
quarterly distribution following the tax commission's receipt of notification of non compliance and continuing until
the distribution following the tax commission's receipt of notification of compliance. At that time the tax commission
shall add to the current quarterly distribution any amount previously withheld under these provisions. (4-11-15)

07. Quarterly Certification. Except if shares are required to be withheld pursuant to Sections 67-
450B and 67-450E, Idaho Code, the State Tax Commission shall certify quarterly to each county clerk the base and
excess shares of the distributions required pursuant to Section 63-3638(10)(c) and 63-3638(10)(d), Idaho Code, and
the distributions to cities and counties required pursuant to Section 63-3638(10)(a) and 63-3638(10)(b), Idaho Code.
Each county clerk shall calculate and certify the distribution of these monies to the eligible taxing districts based on
the directives of the State Tax Commission. (4-11-15)

a. City and County Base Shares. For cities and counties, the initial base share shall be the amount of
money to which they were entitled for the fourth calendar quarter of 1999, based on the provisions of Section 63-
3638(e), Idaho Code, as such section existed prior to July 1, 2000. In addition, the initial base share shall be adjusted
proportionally to reflect increases that become available or decreases that occur, unless increases exceed five percent
(5%) of the initial base share. (3-30-01)

b. Special Purpose Taxing District Base Shares. For special purpose taxing districts the initial base
share shall be the amount of money to which they were entitled for the fourth calendar quarter of 1999, based on the
provisions of Section 63-3638(e), Idaho Code, as such section existed prior to July 1, 2000. Special purpose taxing
district initial base shares shall be proportionally reduced to reflect decreases in the amount of sales tax available to
be distributed. (3-30-01)

c. Excess Shares. Excess shares shall be any amounts above the base share that any city, county or
special purpose taxing district is entitled to receive pursuant to Section 63-3638(10)(c) or 63-3638(10)(d), Idaho
d. Shares Pursuant to Section 63-3638(10)(a) or 63-3638(10)(b), Idaho Code. Shares to be distributed pursuant to Section 63-3638(10)(a) or 63-3638(10)(b), Idaho Code, shall be termed “revenue sharing.” Such shares shall be subject to quarterly distribution and for this purpose, the one million three hundred twenty thousand dollars ($1,320,000) distribution pursuant to Section 63-3638(10)(b)(i), Idaho Code, shall be considered an annual amount and shall be divided into four (4) equal shares.

(4-6-05)

e. Amounts authorized to be paid to counties for redistribution to taxing districts shall be withheld if necessary to comply with the requirements of Sections 67-450B and 67-450E, Idaho Code. The tax commission shall identify the district for which amounts are being withheld and the amount being withheld. The county should notify the district accordingly and notify them that they will receive the withheld funds following a determination by the legislative services office that they are in compliance with the provisions of these statutes. Withheld funds will be distributed by the tax commission no later than the next quarterly sales tax distribution due date following receipt by the tax commission of a determination by the legislative services office that a previously non compliant taxing district is in compliance. (4-11-15)

08. Notification of Value. The county auditor shall notify the State Tax Commission of the value of each taxing district and unit as specified in Section 63-510, Idaho Code.

(3-30-01)

09. Corrections.

a. When distributions have been made erroneously, corrections shall be made to the following quarterly distribution(s) so as to provide the quickest practicable restitution to affected taxing districts. Corrections shall be made to reconcile erroneous distributions made for the current fiscal year. Errors made in distributions for the last quarter of the current fiscal year shall be corrected as soon as practicable in distributions made for the following fiscal year.

(4-6-05)

b. The State Tax Commission shall notify affected county clerks when the State Tax Commission becomes aware of an error in the distribution of the base or excess shares.

(3-30-01)

c. The State Tax Commission shall notify affected cities or county clerks when the State Tax Commission becomes aware of an error in the distribution of city or county revenue sharing monies.

(3-30-01)
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 22-3309, Idaho Code.

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

Tuesday, November 8, 2016 - 3:00 PM

CHS Primeland
1200 Snake River Avenue
Lewiston, ID

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

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

The changes clarify how the first purchaser of wheat reports compliance with the statute and the amount of wheat tax collected. The rulemaking clarifies that the first purchaser of wheat shall complete and return the Report of Tax on Wheat, or equivalent, to the Commission office at the end of each production year (July 1 – June 30). The report shall include the name and address of the grower and seller.

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 negative fiscal impact on the state general fund greater than ten thousand dollars ($10,000) during the fiscal year as a result of this rulemaking: N/A

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(1), Idaho Code, negotiated rulemaking was conducted. The Notice of Intent to Promulgate Rules - Negotiated Rulemaking was published in the June 1, 2016 Idaho Administrative Bulletin, Vol. 16-6, pages 53-54, and in the October 5, 2016 Administrative Bulletin, Vol. 16-10, pages 750-751.

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: N/A

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the proposed rule, contact Blaine Jacobson, Executive Director, at (208) 332-1612 or at blaine@idahowheat.org.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before November 23, 2016.

DATED 20th day of October, 2016.

Blaine Jacobson, Executive Director
Idaho Wheat Commission
821 W. State St.
P. O. Box 82720
Boise, ID 83720-0099
Phone: (208) 334-2353 / Fax: (208) 334-2505
THE FOLLOWING IS THE PROPOSED TEXT OF DOCKET NO. 42-0101-1601
(Only Those Sections With Amendments Are Shown.)

300. WHEAT UNDER COMMODITY CREDIT CORPORATION LOANS.

01. Payee. The Commission will be named as payee to receive three and one half cents ($0.35) per bushel when the producer’s note and loan agreement is executed by the Farm Service Agency (FSA). In such cases, the lending agency will send the tax directly to the Commission. When the producer’s note and loan agreement shows that the tax has been deducted and sent to the Commission, it will not be necessary for the buyer to deduct the tax when the wheat is purchased. (3-14-16)

02. Tax. Since the legislature has made the tax a lien prior to all other liens and encumbrances of the wheat, it is necessary for the grain buyer to make sure the tax has been paid in order to obtain clear title to the wheat. The tax should be deducted in all cases where there is not evidence that the tax was previously paid by a lending agency. In case errors occur and the tax is deducted by a lending agency and again deducted by a grain buyer, refund will be made by the Commission. (3-14-16)

03. Delivery of Documents to Commission. The first purchaser of wheat shall complete and return the Report of Tax on Wheat, or equivalent, to the Commission office at the end of each production year (July 1 through June 30). The report shall be due on the same date as the final quarter wheat tax as specified in Section 22-3315(1), Idaho Code, and shall include the following: (___)

   a. Name or names of the grower and seller; and (___)

   b. Address or addresses of the grower and seller. (___)
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 22-3309, Idaho Code.

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

**Tuesday, November 8, 2016 - 3:00 PM**

CHS Primeland  
1200 Snake River Avenue  
Lewiston, ID

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

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

The changes clarify how the first purchaser of wheat reports compliance with the statute and the amount of wheat tax collected. The rulemaking clarifies that the first purchaser of wheat shall complete and return the Report of Tax on Wheat, or equivalent, to the Commission office at the end of each production year (July 1 – June 30). The report shall include the number of bushels of wheat purchased, and the total wheat tax withheld from each purchase.

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 negative fiscal impact on the state general fund greater than ten thousand dollars ($10,000) during the fiscal year as a result of this rulemaking: N/A


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: N/A

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the proposed rule, contact Blaine Jacobson, Executive Director, at (208) 332-1612 or at blaine@idahowheat.org.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before November 23, 2016.

DATED 20th day of October, 2016.

Blaine Jacobson, Executive Director  
Idaho Wheat Commission  
821 W. State St.  
P. O. Box 82720  
Boise, ID 83720-0099  
Phone: (208) 334-2353 / Fax: (208) 334-2505
THE FOLLOWING IS THE PROPOSED TEXT OF DOCKET NO. 42-0101-1602
(Only Those Sections With Amendments Are Shown.)

300. WHEAT UNDER COMMODITY CREDIT CORPORATION LOANS.

01. Payee. The Commission will be named as payee to receive three and one half cents ($0.3½) per bushel when the producer’s note and loan agreement is executed by the Farm Service Agency (FSA). In such cases, the lending agency will send the tax directly to the Commission. When the producer’s note and loan agreement shows that the tax has been deducted and sent to the Commission, it will not be necessary for the buyer to deduct the tax when the wheat is purchased. (3-14-16)

02. Tax. Since the legislature has made the tax a lien prior to all other liens and encumbrances of the wheat, it is necessary for the grain buyer to make sure the tax has been paid in order to obtain clear title to the wheat. The tax should be deducted in all cases where there is not evidence that the tax was previously paid by a lending agency. In case errors occur and the tax is deducted by a lending agency and again deducted by a grain buyer, refund will be made by the Commission. (3-14-16)

03. Delivery of Documents to Commission. The first purchaser of wheat shall complete and return the Report of Tax on Wheat, or equivalent, to the Commission office at the end of each production year (July 1 through June 30). The report shall be due on the same date as the final quarter wheat tax as specified in Section 22-3315(1), Idaho Code, and shall include the following:

a. The number of bushels of wheat purchased; and

b. The total wheat tax withheld from each purchase.
EFFECTIVE DATE: This rule has been adopted by the agency and is now pending review by the 2017 Idaho State Legislature for final approval. The pending rule becomes final and effective at the conclusion of the legislative session, unless the rule is approved or rejected in part by concurrent resolution in accordance with Section 67-5224 and 67-5291, Idaho Code. If the pending rule is approved or rejected in part by concurrent resolution, the rule becomes final and effective upon adoption of the concurrent resolution or upon the date specified in the concurrent resolution.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Section 54-2105, Idaho Code.

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

There are no changes to the pending rule and it is being adopted as originally proposed. The complete text of the proposed rule was published in the September 7, 2016 Idaho Administrative Bulletin, Vol. 16-9, pages 276-280.

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: N/A

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending rule, contact Jodie Ellis, Executive Director, at (208) 332-8588.

DATED this 12th day of October, 2016.

Jodie Ellis
Executive Director
Board of Veterinary Medicine
2270 Old Penitentiary Rd.
P. O. Box 7249
Boise, ID 83707
Phone: (208) 332-8588
Fax: (208) 332-8645
IDAPA 46 – BOARD OF VETERINARY MEDICINE

46.01.01 – RULES OF THE STATE OF IDAHO BOARD OF VETERINARY MEDICINE

DOCKET NO. 46-0101-1603

NOTICE OF RULEMAKING – ADOPTION OF PENDING FEE RULE AND AMENDMENT TO TEMPORARY RULE

EFFECTIVE DATE: The effective date of the amendment to the temporary rule is October 11, 2016. This pending rule has been adopted by the agency and is now pending review by the 2017 Idaho State Legislature for final approval. Pursuant to Section 67-5224(5)(c), Idaho Code, this pending rule will not become final and effective until it has been approved by concurrent resolution of the legislature because of the fee being imposed or increased through this rulemaking. The pending rule becomes final and effective upon adoption of the concurrent resolution or upon the date specified in the concurrent resolution unless the rule is rejected.

AUTHORITY: In compliance with Section 67-5224 and 67-5226, Idaho Code, notice is hereby given that this agency has adopted a pending fee rule and amended a temporary rule. The action is authorized pursuant to Section 54-2105, Idaho Code.

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

The rulemaking implements statutory authority for imposing a process and a fee for veterinary technicians to move their certifications from active to inactive, and back again; as well as establishing a renewal fee for an inactive certificate. The proposed rule has been changed to delete unnecessary and inaccurate citations to Idaho Code, and to add a verification fee applicable to technicians.

The text of the pending rule has been amended in accordance with Section 67-5227, Idaho Code. Rather than keep the temporary rule in place while the pending rule awaits legislative approval, the Board amended the temporary rule with the same revisions which have been made to the pending rule. Only the sections that have changes that differ from the proposed text are printed in this bulletin. The original text of the proposed rule was published in the September 7, 2016 Idaho Administrative Bulletin, Vol. 16-9, pages 281-284.

FEE SUMMARY: Pursuant to Section 67-5226(2), the Governor has found that the fee or charge being imposed or increased is justified and necessary to avoid immediate danger. The following is a specific description of the fee or charge imposed or increased. This fee or charge is being imposed pursuant to Sections 54-2105 and 54-2112, Idaho Code.

The rulemaking will impose a $25 fee for a certified veterinary technician to remain on inactive status, and a $50 fee to convert from inactive to active status. The $25 renewal fee for an inactive certification is a reduction from the $75 fee for active status. The $50 reactivation fee is new. Also being added is a $20 fee for a person to obtain written verification from the Board of a technician’s certification.

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:

The Board is a dedicated fund agency; there will be no impact on the state general fund. Any minimal reduction in renewal fees will likely be offset by those CVTs that go on inactive status versus not renewing their licenses. Therefore, the Board estimates that there will likely be no fiscal impact on the Board’s dedicated fund.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending fee rule, and amendment to temporary rule, contact Jodie Ellis, Executive Director, at (208) 332-8588.

DATED this 12th day of October, 2016.

Jodie Ellis, Executive Director
Board of Veterinary Medicine
Phone: (208) 332-8588 / Fax: (208) 332-8645

P. O. Box 7249
2270 Old Penitentiary Rd.
Boise, ID 83707

Idaho Administrative Bulletin Page 42 November 2, 2016 - Vol. 16-11
DOCKET NO. 46-0101-1603- ADOPTION OF PENDING FEE RULE AND AMENDMENT TO TEMPORARY RULE

Substantive changes have been made to the pending rule. Italicized red text that is double underscored is new text that has been added to the pending rule. This is also an amendment to the pending rule text.

Only those sections or subsections that have changed from the original temporary/proposed text are printed in this Bulletin following this notice.

The text of the temporary/proposed rule was published in the Idaho Administrative Bulletin, Volume 16-9, September 7, 2016, pages 281 through 284.

This rule has been adopted as a pending rule by the Agency and is now awaiting review and final approval by the 2017 Idaho State Legislature.

[Section 014 is being reprinted in its entirety]

014. FEES.
Fees are established as authorized under Title 54, Chapter 21, Idaho Code, by action of the Board as follows:

(7-1-97)

01. Veterinarian:

a. Application and Original License Fee (Section 54-2107, Idaho Code) - Two hundred seventy-five dollars ($275).

b. Annual Renewal Fee (Section 54-2112, Idaho Code).

i. Active License -- One hundred seventy-five dollars ($175); (3-21-12)

ii. Inactive License -- Fifty dollars ($50). (3-18-99)

c. License Without Clinical Competency Test Fee (Section 54-2110, Idaho Code):

i. Application and Original License Fee -- Two hundred seventy-five dollars ($275); (3-21-12)

ii. Annual Renewal Fee:

(1) Active License -- One hundred seventy-five dollars ($175); (3-21-12)

(2) Inactive License -- Fifty dollars ($50). (3-30-01)

d. Reinstatement/Late Fee (Section 54-2112, Idaho Code) -- Two hundred dollars ($200).

(3-21-12)(10-11-16)T

e. Reactivation Fee (restore inactive license to active status) – One hundred fifty dollars ($150); (3-21-12)

f. Temporary Permit Fee (Section 54-2111, Idaho Code) -- One hundred fifty dollars ($150).
02. License Verifications. (Sections 54-2105(6) and 54-2112, Idaho Code) -- Twenty dollars ($20).

02. Veterinary Technician Certification Fee. (Section 54-2105(6)(d), Idaho Code). (3-21-12) (10-11-16)

a. Application and Original Certification Fee -- One hundred twenty-five dollars ($125). (3-21-12)

b. Annual Renewal Fee -- Seventy-five dollars ($75). (3-21-12) (7-1-16)

i. Active Certificate -- Seventy-five dollars ($75). (7-1-16)

ii. Inactive Certificate -- Twenty-five dollars ($25). (7-1-16)

c. Reinstatement/Late Fee -- Fifty dollars ($50). (3-21-12)

d. Reactivation Fee (restore inactive certificate to active status) -- Fifty dollars ($50). (7-1-16)

d. Temporary Permit Fee -- Fifty dollars ($50). (3-18-99)

f. Certificate Verifications -- Twenty dollars ($20). (10-11-16)

03. Certified Euthanasia Agency Certification Fee. (Section 54-2105(6)(d), Idaho Code). (3-30-01) (10-11-16)

a. Application and Original Certification Fee -- One hundred dollars ($100). (3-30-01)

b. Annual Renewal Fee -- Two hundred dollars ($200). (3-21-12)

c. Reinstatement/Late Fee -- Fifty dollars ($50). (3-21-12)

04. Certified Euthanasia Technician Certification Fee. (Section 54-2105(6)(d), Idaho Code). (3-30-01) (10-11-16)

a. Training and Certification Fee -- One hundred dollars ($100). (3-30-01)

b. Annual Renewal Fee -- One hundred dollars ($100). (3-21-12)

c. Reinstatement/Late Fee -- Fifty dollars ($50). (3-21-12)

05. Duplicate License and Certificate Fee -- Twenty-Five Dollars ($25). When a new license, wall certificate or certification is issued for the purpose of changing the license or certificate holder’s name, the request for name change must be accompanied by a copy of the court order or marriage license authorizing the name change and the current license, certification or original wall certificate shall be returned to the Board office. (3-30-01)
AUTHORITY: In compliance with Section 39-3611, Idaho Code, notice is hereby given that this agency has issued a final decision on the Upper Salmon River Subbasin Assessment and Total Maximum Daily Load (TMDL): 2016 Addendum and Five-year Review.

DESCRIPTIVE SUMMARY: The Department of Environmental Quality (DEQ) hereby gives notice of the final decision on the Upper Salmon River Subbasin Assessment and TMDL: 2016 Addendum and Five-year Review. The final decision may be appealed to the Board of Environmental Quality by initiating a contested case in accordance with Sections 39-107(5), 67-5240 et seq., Idaho Code, and IDAPA 58.01.23, “Rules of Administrative Procedure Before the Board of Environmental Quality.” The petition initiating a contested case must be filed with the undersigned hearing coordinator within thirty-five (35) days of the publication date of this notice in the Idaho Administrative Bulletin.

The area covered by the Upper Salmon River Subbasin Assessment and TMDL: 2016 Addendum and Five-year Review (Hydrologic Unit Code 17060201) establishes sixteen (16) temperature TMDLs, four (4) sediment TMDLs and one (1) E. coli TMDL on water quality impaired stream reaches (assessment units). DEQ has submitted this TMDL to the U.S. Environmental Protection Agency for approval under the Clean Water Act.

AVAILABILITY OF THE TMDL: Electronic copy of the TMDL can be obtained at http://www.deq.idaho.gov/water-quality/surface-water/tmdls/table-of-sbas-tmdls/salmon-river-upper-subbasin/ or by contacting Mark Shumar, TMDL Program Coordinator, (208) 373-0132, mark.shumar@deq.idaho.gov.

Dated this 2nd day of November, 2016.

Paula J. Wilson
Hearing Coordinator
Department of Environmental Quality
1410 N. Hilton
Boise, Idaho 83706-1255
(208) 373-0418 / Fax No. (208) 373-0481
paula.wilson@deq.idaho.gov
AUTHORITY: In compliance with Section 39-3611, Idaho Code, notice is hereby given that this agency has issued a final decision on the Teton River Subbasin 2016 Total Maximum Daily Load (TMDL) and Five-year Review.

DESCRIPTIVE SUMMARY: The Department of Environmental Quality (DEQ) hereby gives notice of the final decision on the Teton River Subbasin 2016 TMDL and Five-year Review. The final decision may be appealed to the Board of Environmental Quality by initiating a contested case in accordance with Sections 39-107(5), 67-5240 et seq., Idaho Code, and IDAPA 58.01.23, “Rules of Administrative Procedure Before the Board of Environmental Quality.” The petition initiating a contested case must be filed with the undersigned hearing coordinator within thirty-five (35) days of the publication date of this notice in the Idaho Administrative Bulletin.

The area covered by the Teton River Subbasin 2016 TMDL and Five-year Review (Hydrologic Unit Code 17040204) establishes ten (10) temperature TMDLs, six (6) sediment TMDLs and three (3) E. coli TMDLs on water quality impaired stream reaches (assessment units). DEQ has submitted this TMDL to the U.S. Environmental Protection Agency for approval under the Clean Water Act.

AVAILABILITY OF THE TMDL: Electronic copy of the TMDL can be obtained at http://www.deq.idaho.gov/water-quality/surface-water/tmdls/table-of-sbas-tmdls/teton-river-subbasin/or by contacting Mark Shumar, TMDL Program Coordinator, (208) 373-0132, mark.shumar@deq.idaho.gov.

Dated this 2nd day of November, 2016.

Paula J. Wilson
Hearing Coordinator
Department of Environmental Quality
1410 N. Hilton
Boise, Idaho 83706-1255
(208) 373-0418 / Fax No. (208) 373-0481
paula.wilson@deq.idaho.gov
EFFECTIVE DATE: This rule has been adopted by the Board of Environmental Quality (Board) and is now pending review by the 2017 Idaho State Legislature for final approval. The pending rule will become final and effective immediately upon the adjournment sine die of the First Regular Session of the Sixty-fourth Idaho Legislature unless prior to that date the rule is rejected in whole or in part by concurrent resolution in accordance with Idaho Code Sections 67-5224 and 67-5291.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that the Board has adopted a pending rule. The action is authorized by Sections 39-105 and 39-107, Idaho Code.

DESCRIPTIVE SUMMARY: A detailed summary of the reason for adopting the rule is set forth in the initial proposal published in the Idaho Administrative Bulletin, August 3, 2016, Vol. 16-8, pages 130-133. DEQ received no public comments, and the rule has been adopted as initially proposed. The Rulemaking and Public Comment Summary can be obtained at www.deq.idaho.gov/58-0101-1602 or by contacting the undersigned.

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

FISCAL IMPACT STATEMENT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars ($10,000) during the fiscal year when the pending rule will become effective: N/A

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this rulemaking, contact Carl Brown at carl.brown@deq.idaho.gov or (208) 373-0206.

Dated this 2nd day of November, 2016.

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

EFFECTIVE DATE: This rule has been adopted by the Board of Environmental Quality (Board) and is now pending review by the 2017 Idaho State Legislature for final approval. The pending rule will become final and effective immediately upon the adjournment sine die of the First Regular Session of the Sixty-fourth Idaho Legislature unless prior to that date the rule is rejected in whole or in part by concurrent resolution in accordance with Idaho Code Sections 67-5224 and 67-5291.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that the Board has adopted a pending rule. The action is authorized by Sections 39-105 and 39-107, Idaho Code. This rulemaking updates federal regulations incorporated by reference as mandated by the U.S. Environmental Protection Agency (EPA) for approval of Idaho’s Title V Operating Permit Program pursuant to 40 CFR Part 70 and fulfilling the requirements of Idaho’s delegation agreement with EPA under Section 112(l) of the Clean Air Act. It also updates citations to other federal regulations necessary to retain state primacy of Clean Air Act programs.

DESCRIPTIVE SUMMARY: A detailed summary of the reason for adopting the rule is set forth in the initial proposal published in the Idaho Administrative Bulletin, August 3, 2016, Vol. 16-8, pages 134-136. DEQ received no public comments, and the rule has been adopted as initially proposed. The Rulemaking and Public Comment Summary can be obtained at www.deq.idaho.gov/58-0101-1603 or by contacting the undersigned.

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

FISCAL IMPACT STATEMENT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars ($10,000) during the fiscal year when the pending rule will become effective: N/A

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this rulemaking, contact Carl Brown at carl.brown@deq.idaho.gov or (208) 373-0206.

Dated this 2nd day of November, 2016.

Paula J. Wilson
Hearing Coordinator
Department of Environmental Quality
1410 N. Hilton
Boise, Idaho 83706-1255
(208) 373-0418 / Fax No. (208) 373-0481
paula.wilson@deq.idaho.gov
EFFECTIVE DATE: This rule has been adopted by the Board of Environmental Quality (Board) and is now pending review by the 2017 Idaho State Legislature for final approval. The pending rule will become final and effective immediately upon the adjournment sine die of the First Regular Session of the Sixty-fourth Idaho Legislature unless prior to that date the rule is rejected in whole or in part by concurrent resolution in accordance with Idaho Code Sections 67-5224 and 67-5291.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that the Board has adopted a pending rule. The action is authorized by Chapters 44 and 58, Title 39, Idaho Code. In addition, 40 CFR 271.21(e) and Section 39-4404, Idaho Code, require DEQ to adopt amendments to federal law as proposed under this docket.

DESCRIPTIVE SUMMARY: A detailed summary of the reason for adopting the rule is set forth in the initial proposal published in the Idaho Administrative Bulletin, August 3, 2016, Vol. 16-8, pages 137-143. DEQ received no public comments, and the rule has been adopted as initially proposed. The Rulemaking and Public Comment Summary can be obtained at www.deq.idaho.gov/58-0105-1601 or by contacting the undersigned.

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

FISCAL IMPACT STATEMENT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars ($10,000) during the fiscal year when the pending rule will become effective: N/A

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this rulemaking, contact Matt Alvarado at matt.alvarado@deq.idaho.gov or (208) 373-0554.

Dated this 2nd day of November, 2016.

Paula J. Wilson
Hearing Coordinator
Department of Environmental Quality
1410 N. Hilton
Boise, Idaho 83706-1255
(208) 373-0418 / Fax No. (208) 373-0481
paula.wilson@deq.idaho.gov
EFFECTIVE DATE: This rule has been adopted by the Board of Environmental Quality (Board) and is now pending review by the 2017 Idaho State Legislature for final approval. Pursuant to Sections 67-5224(5)(c) and 67-5291, Idaho Code, this pending fee rule will not become final and effective until it has been approved by concurrent resolution of the legislature. If approved, the rule will become final and effective upon adoption of the concurrent resolution or upon the date specified in the concurrent resolution.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that the Board has adopted a pending rule. This action is authorized by Chapters 1 and 88, Title 39, Idaho Code.

DESCRIPTIVE SUMMARY: A detailed summary of the reason for adopting the rule is set forth in the initial proposal published in the Idaho Administrative Bulletin, August 3, 2016, Vol. 16-8, pages 144-155. DEQ received no public comments, and the rule has been adopted as initially proposed. The Rulemaking and Public Comment Summary can be obtained at www.deq.idaho.gov/58-0107-1601 or by contacting the undersigned.

IDAHO CODE SECTION 39-107D STATEMENT: This rule does not regulate an activity not regulated by the federal government, nor is it more stringent than federal regulations. This rule is broader in scope than federal regulations with respect to the collection of fees. In 2016, the Idaho Legislature revised Idaho Code § 39-8802(2)(d) to allow for collection of UST fees under Idaho Code § 39-119 (Senate Bill 1244).

FEE SUMMARY: DEQ must negotiate a fee structure to ensure there is sufficient funding to maintain an underground storage tank program and retain state program approval. Fees would not exceed one hundred dollars ($100.00) per tank per year. Collection of UST fees is authorized by Idaho Code § 39-119. In 2016, the Idaho Legislature revised Idaho Code § 39-8802(2)(d) to allow for collection of UST fees under Idaho Code § 39-119 (Senate Bill 1244).

FISCAL IMPACT STATEMENT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars ($10,000) during the fiscal year when the pending rule will become effective: N/A

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this rulemaking, contact Kristi Lowder at kristi.lowder@deq.idaho.gov or (208) 373-0347.

Dated this 2nd day of November, 2016.

Paula J. Wilson
Hearing Coordinator
Department of Environmental Quality
1410 N. Hilton
Boise, Idaho 83706-1255
(208) 373-0418 / Fax No. (208) 373-0481
paula.wilson@deq.idaho.gov
IDAPA 59 – PUBLIC EMPLOYEE RETIREMENT SYSTEM OF IDAHO
59.02.01 – RULES FOR THE JUDGES’ RETIREMENT FUND
DOCKET NO. 59-0201-1602
NOTICE OF RULEMAKING - ADOPTION OF PENDING RULE

EFFECTIVE DATE: This rule has been adopted by the agency and is now pending review by the 2017 Idaho State Legislature for final approval. The pending rule becomes final and effective at the conclusion of the legislative session unless the rule is approved or rejected in part by concurrent resolution in accordance with Section 67-5224 and 67-5291, Idaho Code. If the pending rule is approved or rejected in part by concurrent resolution, the rule becomes final and effective upon adoption of the concurrent resolution or upon the date specified in the concurrent resolution.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Section 1-2012, Idaho Code.

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

Add new Subsection .05 to rule 101 to make clear that the IRC section 415 limitation on benefits applies to the combined benefits from all plans if a member participates in two or more qualified defined benefit plans maintained by the employer (or a predecessor employer). This change is being made pursuant to requirement of the IRS pursuant to the receipt of the determination letter received in December of 2015. The current section 415(b) limit (for 2016) is $210,000.

There are no changes to the pending rule and it is being adopted as originally proposed. The complete text of the proposed rule was published in the May 4, 2016 Idaho Administrative Bulletin, Vol. 16-5, pages 79-80.

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: N/A

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending rule, contact Cheryl George, (208) 287-9271.

DATED this 14th day of October, 2016.

Don Drum
Executive Director
Public Employee Retirement System of Idaho
607 N. 8th Street, Boise, ID 83702
P.O. Box 83720, Boise, ID 83720-0078
Phone: (208) 287-9230
Fax: (208) 334-3408
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**IDAPA 07 – DIVISION OF BUILDING SAFETY**

07.10.01 – Rules Governing the Damage Prevention Board, Division of Building Safety

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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 November 2, 2016 unless otherwise noted.
Public hearing request deadline is November 23, 2016 unless otherwise noted.
(Temp & Prop) indicates the rule is both Temporary and Proposed.
(*PH) indicates that a public hearing has been scheduled.

IDAPA 07 – DIVISION OF BUILDING SAFETY
PO Box 83720, Meridian, ID 83542
07-1001-1601, Rules Governing the Damage Prevention Board. (Temp & Prop) Establishes new rules to prevent damage to underground facilities throughout the state and imposes a fee on underground facility owners for participation in a one-number notification system that provides notice to facility owner of proposed excavation; fees offset costs for regulation and administration of program. (Eff. 12-1-16)T

IDAPA 26 – IDAHO DEPARTMENT OF PARKS AND RECREATION
PO Box 83720, Boise, ID 83720-0065
26-0120-1601, Rules Governing the Administration of Park and Recreation Areas and Facilities. Increases the maximum capacity of motorcycles permitted on Idaho State Park campsites from two to four and clarifies campsite capacity limits.

IDAPA 42 – IDAHO WHEAT COMMISSION
821 W. State St., Boise, ID 83702
42.01.01 - Rules of the Idaho Wheat Commission
*42-0101-1601, (*PH) Clarifies that the first purchaser of wheat shall complete and return the Report of Tax on Wheat, or equivalent, to the Commission at the end of each production year (July 1 – June 30); the report shall include the name and address of the grower and seller.
*42-0101-1602, (*PH) Requires to Report of Tax to include the number of bushels of wheat purchased, and the total wheat tax withheld from each purchase.

NOTICES OF ADOPTION OF TEMPORARY RULE

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Idaho Board of Licensure of Professional Engineers and Professional Land Surveyors
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Please refer to the Idaho Administrative Bulletin, November 2, 2016, Volume 16-11, 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
Phone: 208-332-1820; Fax: 332-1896; Email: rulescoordinator@adm.idaho.gov
CUMULATIVE RULEMAKING INDEX
OF IDAHO ADMINISTRATIVE RULES

Office of the Administrative Rules Coordinator
Idaho Department of Administration

July 1, 1993 -- Present

This online index provides a history of all agency rulemakings beginning with the first Administrative Bulletin in July 1993 to the most recent Bulletin publication. It tracks all rulemaking activities on each chapter of rules by the rulemaking docket numbers and includes negotiated, temporary, proposed, pending and final rules, public hearing notices, vacated rulemaking notices, notice of legislative actions taken on rules, and executive orders of the Governor.

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Idaho Department of Administration

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(eff. PLR) - Final Effective Date Is Pending Legislative Review And Approval
(eff. date)L - Denotes Adoption by Legislative Action
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SCR # - denotes the number of a Senate Concurrent Resolution (Legislative Action)
HCR # - denotes the number of a House Concurrent Resolution (Legislative Action)

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