

IDAHO ADMINISTRATIVE BULLETIN

February 1, 2017 -- Volume 17-2

Idaho Department of Administration
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C.L. "Butch" Otter, Governor
Robert L. Geddes, Director, Department of Administration
Dennis Stevenson, Administrative Rules Coordinator
Bradley Hunt, Administrative Rules Specialist
Jason Shaw, Regulatory Analyst and Publishing Specialist

IDAHO ADMINISTRATIVE BULLETIN

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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 be accessed on a web site or post this information on its own web site, or both. This link can be placed into the rule and activated once it is posted on the Coordinator’s web site.

As stated, the text of the proposed rule must be published in the Bulletin. After meeting the statutory rulemaking criteria for a proposed rule, the agency may adopt the pending rule. Because a proposed rule is not enforceable, it has no effective date, even when published in conjunction with a temporary rule that is of full force and effect. An agency may vacate (terminate) a rulemaking after the publication of a proposed rule if it decides, for whatever reason, not to proceed further to finalize the rulemaking. The publication of a “Notice of Vacation of Proposed Rulemaking” in the Bulletin officially stops the formal rulemaking process.

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)

BULLETIN PUBLICATION SCHEDULE FOR CALENDAR YEAR 2016

Vol. No.	Monthly Issue of Bulletin	Closing Date for Agency Filing	Publication Date	21-day Comment Period End Date
16-1	January 2016	*November 27, 2015	January 6, 2016	January 27, 2016
16-2	February 2016	January 8, 2016	February 3, 2016	February 24, 2016
16-3	March 2016	February 5, 2016	March 2, 2016	March 23, 2016
16-4	April 2016	March 4, 2016	April 6, 2016	April 27, 2016
16-5	May 2016	April 8, 2016	May 4, 2016	May 25, 2016
16-6	June 2016	May 6, 2016	June 1, 2016	June 22, 2016
16-7	July 2016	June 3, 2016	July 6, 2016	July 27, 2016
16-8	August 2016	July 8, 2016	August 3, 2016	August 24, 2016
16-9	September 2016	August 5, 2016	September 7, 2016	September 28, 2016
16-10	October 2016	**September 2, 2016	October 5, 2016	October 26, 2016
16-11	November 2016	October 7, 2016	November 2, 2016	November 23, 2016
16-12	December 2016	November 4, 2016	December 7, 2016	December 28, 2016

BULLETIN PUBLICATION SCHEDULE FOR CALENDAR YEAR 2017

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17-6	June 2017	May 5, 2017	June 7, 2017	June 28, 2017
17-7	July 2017	June 9, 2017	July 5, 2017	July 26, 2017
17-8	August 2017	July 7, 2017	August 2, 2017	August 23, 2017
17-9	September 2017	August 4, 2017	September 6, 2017	September 27, 2017
17-10	October 2017	**September 1, 2017	October 4, 2017	October 25, 2017
17-11	November 2017	October 6, 2017	November 1, 2017	November 22, 2017
17-12	December 2017	November 3, 2017	December 6, 2017	December 27, 2017

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

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

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THE OFFICE OF THE GOVERNOR

**EXECUTIVE DEPARTMENT
STATE OF IDAHO
BOISE**

EXECUTIVE ORDER NO. 2016-05

CONTINUING THE LEWIS AND CLARK TRAIL COMMITTEE

WHEREAS, the Lewis and Clark Trail has great historical significance to the State of Idaho; and

WHEREAS, the trail passes through multiple state and federal jurisdictions and private property, it is important that Idaho have an official organization to promote responsible recreational use and tourism associated with the trail and assure the protection and stewardship of this historic resource;

NOW, THEREFORE, I, C.L. "BUTCH" OTTER, Governor of the State of Idaho, by the authority vested in me under the Constitution and laws of the State of Idaho do hereby continue the Idaho Governor's Lewis and Clark Trail Committee as an advisory body to state, local and federal governments on preserving and managing the Lewis and Clark Trail and activities relating to the Lewis and Clark Expedition.

The Committee shall:

- 1. Coordinate activities among and partner with federal, state, local and private agencies and organizations to protect the Trail and to promote responsible use of the trail;*
- 2. Advise the Office of the Governor, the Idaho State Legislature, the Idaho Congressional Delegations, Idaho Commissions, Bureaus, agencies and committees regarding activities and policies that relate to the Trail and the history of the Lewis and Clark Expedition;*
- 3. Promote educational opportunities about the Trail through financial support and technical assistance;*
- 4. Sustain the current infrastructure and programs along the Lewis and Clark Trail corridor in Idaho, many of which were initiated with the Committee financial support during the Lewis and Clark bicentennial;*

The Committee shall consist of no more than nine (9) persons who are appointed by the Governor and serve at his pleasure.

The voting membership of the Committee shall include:

- 1. The President of the Idaho Chapter of the Lewis and Clark Trail Heritage Foundation, Inc.;*
- 2. A representative of the Idaho State Historical Society;*
- 3. A representative of the Idaho Department of Park and Recreation;*
- 4. The Governor or his designee;*
- 5. Five Idaho residents with a demonstrated interest in Lewis and Clark history.*

In addition, each of the following organizations may be invited to appoint one non-voting, ex-officio member:

*Nez Perce Tribal Executive Council
Shoshone-Bannock Tribal Council
Bureau of Land Management
National Park Service
USDA Forest Service*

The Committee shall elect its own chairperson and have regular meetings as determined by the majority of the Committee and called by the Chairperson.

Members will serve without compensation except for travel expenses. Operating funds will be from the sale of Lewis and Clark license plates, gifts, grants or other donations.

The Executive Order shall cease to be effective December 31, 2018.



IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho at the Capitol in Boise on this 7th day of December, in the year of our Lord two thousand and sixteen and of the Independence of the United States of America the two hundred forty-first and of the Statehood of Idaho the one hundred twenty-seventh.

Handwritten signature of C.L. "Butch" Otter in blue ink.

C.L. "BUTCH" OTTER
GOVERNOR

Handwritten signature of Lawrence Denney in black ink.

LAWRENCE DENNEY
SECRETARY OF STATE

THE OFFICE OF THE GOVERNOR

**EXECUTIVE DEPARTMENT
STATE OF IDAHO
BOISE**

EXECUTIVE ORDER NO. 2016-06

CONTINUING THE GOVERNOR'S TASK FORCE FOR CHILDREN AT RISK

WHEREAS, Idaho's children are her most valuable resource; and

WHEREAS, it is the responsibility of all Idahoans to provide a community system of support and protection for these children; and

WHEREAS, the protection of children from abuse and neglect is in the best interest of all Idahoans; and

NOW, THEREFORE, I, C.L. "Butch" Otter, Governor of the State of Idaho, by the authority vested in me by the Constitution and laws of the State of Idaho, do hereby order the continuance of the Governor's Task Force on Children at Risk (Task Force).

The Task Force is responsible for reviewing and developing programs, as well as facilitating local jurisdictions to operate programs designed to improve:

- a. The handling of child abuse and neglect cases, particularly cases of child sexual abuse and exploitation;*
- b. The handling of cases of suspected child abuse or neglect-related fatalities;*
- c. The investigation and prosecution of cases of child abuse and neglect, particularly child sexual abuse and exploitation; and*
- d. The handling of cases involving children with disabilities or serious health-related problems who are victims of abuse or neglect.*

Further, the Task Force shall establish and support a statewide child fatality review team (CFRT) to allow comprehensive and multidisciplinary review of deaths of children younger than 18 years-old, in order to identify what information and education may improve the health and safety of Idaho's children. The statewide CFRT established and supported by the Task Force is separate and apart from child death reviews convened by the Department of Health and Welfare in circumstances where the death of a child is suspected or confirmed to have resulted from abuse or neglect.

The Task Force shall be composed of not more than 18 members appointed by the Governor. The membership shall include, but will not be limited to, the following, with consideration of geographical representation:

- Law Enforcement Community*
- Criminal Court Judge*
- Civil Court Judge*
- Prosecuting Attorney*
- Defense Attorney*
- Child Advocate Attorney*
- Court Appointed Special Advocate Representative (where such programs operate)*
- Health Professional*
- Mental Health Professional*
- Child Protective Service Agency*
- Individual experienced in working with children with disabilities*
- Parent Group Representative*
- Education Representative*
- Juvenile Justice Representative*

- *Adult former victim of child abuse or neglect*
- *Individual experienced in working with homeless children/youth*

The members of the Task Force shall serve at the pleasure of the Governor for a four- year term. Members of the Task Force shall elect their chair from among their members.

The Task Force shall submit a written report by June 1 of each year to document its efforts.

The Department of Health and Welfare shall be the fiscal agent, providing support for the Task Force, and shall monitor contracts for staff to carry out the activities directed by the Task Force, as Children's Justice Act Grant funding is available.



IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho at the Capitol in Boise on this 7th day of December, in the year of our Lord two thousand and sixteen and of the Independence of the United States of America the two hundred forty-first and of the Statehood of Idaho the one hundred twenty-seventh.

C.L. "BUTCH" OTTER
GOVERNOR

LAWRENCE DENNEY
SECRETARY OF STATE

THE OFFICE OF THE GOVERNOR

**EXECUTIVE DEPARTMENT
STATE OF IDAHO
BOISE**

EXECUTIVE ORDER NO. 2016-07

CONTINUING APPOINTMENT OF MEMBERS OF THE BOARD OF ENVIRONMENTAL QUALITY

WHEREAS, the State of Idaho administers the Clean Air Act, 42 U.S.C. 7401 et seq., through provisions of State law identified and described in a State Implementation Plan (SIP);

WHEREAS, the Idaho Board of Environmental Quality is authorized to make final administrative appeal determinations regarding air quality permits and enforcement orders;

WHEREAS, section 128 of the Clean Air Act requires Idaho's SIP to include the following provisions:

- (1) Any board or body which approves permits or enforcement orders under this chapter shall have at least a majority of members who represent the public interest and do not derive any significant portion of their income from persons subject to permits or enforcement orders under this chapter; and
- (2) Any potential conflicts of interest by members of such board or body or the head of an executive agency with similar powers shall be adequately disclosed.

WHEREAS, Idaho Code § 39-107(1)(a) provides:

The board of environmental quality shall consist of seven (7) members who shall be appointed by the governor, with the advice and consent of the senate. The members shall serve at the pleasure of the governor. Each member of the board shall be a citizen of the United States, a resident of the state of Idaho, and a qualified elector; and shall be appointed to assure appropriate geographic representation of the state of Idaho. Not more than four (4) members of the board shall be from any one (1) political party. Two (2) members of the board shall be chosen with due regard to either knowledge and interest in solid waste; two (2) members shall be chosen for their knowledge of and interest in air quality; two (2) members shall be chosen for their knowledge and interest in water quality; and one (1) member shall be chosen with due regard for their knowledge of and interest in air, water and solid waste issues.

NOW THEREFORE, I, C.L. "Butch" Otter, Governor of the State of Idaho, by the authority vested in me under the Constitution and laws of the State of Idaho, do hereby order the appointment of members to the Idaho board of environmental quality shall be made in conformance with the requirements of Idaho Code section 39-107(1)(a), and section 128 of the Clean Air Act (2 U.S.C. 7428).



IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho at the Capitol in Boise on this 14th day of December, in the year of our Lord two thousand and sixteen and of the Independence of the United States of America the two hundred forty-first and of the Statehood of Idaho the one hundred twenty-seventh.

A handwritten signature in blue ink, reading "C.L. Butch Otter".

C.L. "BUTCH" OTTER
GOVERNOR

A handwritten signature in blue ink, reading "Lawrence Denney".

LAWRENCE DENNEY
SECRETARY OF STATE

THE OFFICE OF THE GOVERNOR

**EXECUTIVE DEPARTMENT
STATE OF IDAHO
BOISE**

EXECUTIVE ORDER NO. 2017-01

**EXECUTIVE ORDER DECLARING A STATE OF ENERGY EMERGENCY
AND TEMPORARILY EXEMPTING CERTAIN CARRIERS FROM HOURS OF SERVICE REGULATIONS
UNDER IDAHO LAW TO HELP MEET FUEL DEMANDS**

WHEREAS, the people of Idaho are faced with continued extremely harsh winter conditions; and

WHEREAS, these conditions have caused an increased short-term demand for propane, heating oil, and diesel fuel and necessitate the timely delivery of these products by commercial delivery trucks; and

WHEREAS, limited petroleum production in Idaho has disrupted the ability of industry to provide consistent and timely availability of fuel stocks to bulk distributors, causing delay in the loading and transport times of these supplies by commercial delivery trucks; and

WHEREAS, these shortages and delays may threaten the health, property, and welfare of Idahoans, warranting the declaration of a short-term energy emergency; and

WHEREAS, under IDAPA 11.13.01.009, the Governor, via the Idaho State Police, may suspend the provisions of any agency rule, requirement, or standard if strict compliance would prevent, hinder, or delay necessary action in coping with the emergency upon a declaration of emergency by the Governor; and

WHEREAS, relieving "hours of service" requirements for commercial motor carrier vehicles in Idaho, provided for in Idaho Code § 67-2901B and IDAPA 3.01.004.03, will assist Idahoans by facilitating and expediting the distribution of petroleum products;

NOW, THEREFORE, I, C.L. "BUTCH" OTTER, Governor of the State of Idaho, by virtue of the authority vested in me under the Constitution and the laws of the State of Idaho, do hereby declare that a state of energy emergency exists in Idaho, as defined in IDAPA 11.13.01.009, and order as follows:

- 1. A temporary suspension of "hours of service" regulations, as provided in Idaho Code § 67-2901B (incorporating by reference IDAPA 11.13.01.004.03, which, in turn, incorporates by reference 49 C.F.R. part 395), as they apply to drivers of commercial motor vehicles while transporting fuel.*
- 2. This order pertains only to carriers actively involved in transporting any flammable or liquid gas, such as propane, heating fuel, and diesel fuel used specifically in the heating of homes.*
- 3. Nothing in this Order shall be construed to waive or suspend any other state or federal regulation pertaining to commercial motor carriers and commercial driver license requirements or to relieve carriers and commercial drivers from operating their commercial motor vehicles in a safe and prudent manner.*
- 4. Commercial motor vehicle carriers, while under this Order, shall not require or allow fatigued drivers to operate a motor vehicle.*
- 5. Notwithstanding any other provision of this Order, if a driver informs a carrier that the driver needs immediate rest, the "hours of service" requirements, enacted in Idaho Code § 67-2901(B), must be followed.*

The Executive Order is effective January 4, 2017 and expires on, January 27, 2017.



IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho at the Capitol in Boise on this 4th day of January, in the year of our Lord two thousand and seventeen and of the Independence of the United States of America the two hundred forty-first and of the Statehood of Idaho the one hundred twenty-seventh.

A handwritten signature in blue ink, reading "C.L. 'Butch' Otter".

C.L. "BUTCH" OTTER
GOVERNOR

A handwritten signature in black ink, reading "Lawrence Denney".

LAWRENCE DENNEY
SECRETARY OF STATE

THE OFFICE OF THE GOVERNOR

**EXECUTIVE DEPARTMENT
STATE OF IDAHO
BOISE**

EXECUTIVE ORDER NO. 2017-02

FINDINGS OF THE IDAHO CYBERSECURITY CABINET TASK FORCE

WHEREAS, Executive Order 2015-07 established the Idaho Cybersecurity Task Force (Task Force) to detect and identify threats and vulnerabilities in state government networks; and

WHEREAS, Executive Order 2015-07 directed the Task Force to make recommendations on best practices to manage and reduce cyber risks; and

WHEREAS, the members of the Task Force have met with national experts, business and industry experts and counterparts in other states to understand best practices in cybersecurity; and

WHEREAS, the Task Force has finalized a list of initial recommendations;

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

- 1. The appointment of a Director of Information Security reporting directly to the Governor to oversee implementation of statewide cybersecurity policies, ensure compliance with this executive order, and develop a potential audit process.*
- 2. All state agencies to immediately adopt and to implement by June 30, 2017, the National Institute of Standards and Technology (NIST) Cybersecurity Framework in order to better foster risk and cybersecurity management communications and decision making with both internal and external organizational stakeholders.*
- 3. All executive branch agencies to implement the first five (5) Center for Internet Security Critical Security Controls (CIS Controls) for evaluation of existing state systems by June 30, 2018. Updates on adoption of the NIST Cybersecurity Framework and implementation of CIS Controls will be included in each agency's strategic plan submission to the Division of Financial Management (DFM).*
- 4. The State Department of Administration to facilitate annual penetration tests and annual vulnerability scans on state technology systems in order to identify steps to mitigate identified risks. All reports generated from these activities should be made available to the Director of Information Security.*
- 5. The State Division of Human Resources, in conjunction with all executive branch agencies, to compile and review cybersecurity curriculum for mandatory education and training of state employees, and to determine appropriate levels of training for various classifications of state employees.*
- 6. All executive branch agencies to develop employee education and training plans and submit such plans within 90 days of the issuance of this executive order to the Director of Information Security. The plans shall describe how existing and new state employees will receive the statewide mandatory education and training module on cybersecurity before being granted access to state systems.*
- 7. All executive branch agencies to require that all state employees complete the state's annual cybersecurity training commensurate with their highest level of information access and core work responsibilities.*

8. *The State Department of Administration, in collaboration with the Director of Information Security and the Idaho Office of Emergency Management, to create, coordinate, publish, routinely update and market a statewide cybersecurity website as an information repository for intelligence sharing and cybersecurity best practices.*
9. *The Director of Information Security, in order to promote the cyber resiliency of the entire State of Idaho, to develop a public outreach program for local government, private business and Idaho citizens to share best practices and current information regarding cybersecurity.*
10. *All public-facing state agency websites to include a link to the statewide cybersecurity website — www.cybersecurity.idaho.gov.*



IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho at the Capitol in Boise on this 16th day of January, in the year of our Lord two thousand and seventeen and of the Independence of the United States of America the two hundred forty-first and of the Statehood of Idaho the one hundred twenty-seventh.

A handwritten signature in blue ink, reading "C.L. 'Butch' Otter".

C.L. "BUTCH" OTTER
GOVERNOR

A handwritten signature in black ink, reading "Lawrence Denney".

LAWRENCE DENNEY
SECRETARY OF STATE

OFFICE OF THE ADMINISTRATIVE RULES COORDINATOR

IDAPA 08 – STATE BOARD OF EDUCATION

08.02.02 – RULES GOVERNING UNIFORMITY

DOCKET NO. 08-0202-1607

NOTICE OF CORRECTION TO PENDING RULE

COORDINATOR’S NOTE: A transcription error occurred during the publication of the pending rule promulgated under this docket number. The error is in amended Section 08.02.02.022 and language that was approved by the State Board for inclusion in the pending rule was inadvertently omitted. This notice corrects the pending rule to include the rule text as approved and adopted by the State Board of Education as the pending rule. The corrected rule text is being reprinted here following this notice as adopted and this correction has been submitted to the legislature for final approval.

AUTHORITY: In compliance with Sections 67-5224, 67-5228, and 67-5291, Idaho Code, notice is hereby given that the Office of the Administrative Rules Coordinator is correcting a transcription error that occurred during the publication of the pending rule under Docket No. 08-0202-1607 that published in the January 4, 2017 Idaho Administrative Bulletin, [Vol. 17-1 pages 38 through 52](#).

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.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the nature of the correction made to the pending rule:

Section 022 of this rule was amended during the comment period of the proposed rulemaking and additional changes made to this Section 022 in the pending rule which caused a subsequent renumbering of many of the subsections in Section 022. Paragraphs 022.13.a. through 022.13.d. were unintentionally omitted when the renumbered subsections were reprinted as part of the pending rule. Paragraphs 022.13.a. through 022.13.d. were part of the original amendments made in the proposed rule and these changes were approved as originally proposed and were adopted by the State Board as part of the pending rule.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this correction notice or the text of the rule, contact Dennis Stevenson at (208) 332-1820.

THE FOLLOWING IS THE TEXT OF THE CORRECTED PENDING RULE:

022. ENDORSEMENTS A - D.

13. Deaf/Hard of Hearing (K-12). Completion of a minimum of thirty-three (33) semester credit hours in the area of deaf/hard of hearing with an emphasis on instruction for students who use sign language or completion of a minimum thirty-three (33) semester credit hours in the area of deaf/hard of hearing with an emphasis on instruction for students who use listening and spoken language. An institutional recommendation specific to this endorsement is required. To be eligible for a Deaf/Hard of Hearing endorsement, a candidate must have satisfied the following requirements: ()

[Subsection 022.13.a. through 022.13.d.]

- a.** Completion of a baccalaureate degree from an accredited college or university; ()
- b.** Completion of a program from an Idaho college or university in elementary, secondary, or special education currently approved by the Idaho State Board of Education; or ()
- c.** Completion of a program from an out-of-state college or university in elementary, secondary, or special education currently approved by the state educational agency of the state in which the program was completed; and ()
- d.** Completion of a program of a minimum of thirty-three (33) semester credit hours in the area of Deaf/Hard of Hearing and must receive an institutional recommendation specific to this endorsement from an accredited college or university. ()

OFFICE OF THE ADMINISTRATIVE RULES COORDINATOR

IDAPA 08 – STATE BOARD OF EDUCATION

08.02.03 – RULES GOVERNING THOROUGHNESS

DOCKET NO. 08-0203-1608

NOTICE OF CORRECTION TO PENDING RULE

COORDINATOR’S NOTE: A transcription error occurred during the publication of the pending rule promulgated under this docket number. The error is in amended Section 08.02.03.112 and language that was approved by the State Board for inclusion in the pending rule was inadvertently omitted. This notice corrects the pending rule to include the rule text as approved and adopted by the State Board of Education as the pending rule. The corrected rule text is being reprinted here following this notice as adopted and this correction has been submitted to the legislature for final approval.

AUTHORITY: In compliance with Sections 67-5224, 67-5228, and 67-5291, Idaho Code, notice is hereby given that the Office of the Administrative Rules Coordinator is correcting a transcription error that occurred during the publication of the pending rule under Docket No. 08-0203-1608 that published in the January 4, 2017 Idaho Administrative Bulletin, **Vol. 17-1 pages 60 through 64.**

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.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the nature of the correction made to the pending rule:

Section 112 of this rule was amended as a result of comment received during the promulgation of the proposed rulemaking and additional changes made to Section 112 in the pending rule. Subparagraph 112.03.b.iv. was not included as a change when the subsections were reprinted as part of the pending rule. Subparagraph 112.03.b.iv. was amended as a result of comments received during the comment period of the proposed rulemaking and this change was adopted by the State Board as part of the pending rule. It was, however, inadvertently omitted from the pending rule by mistake.

The amended text is reprinted here following this notice as adopted by the State Board of Education.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this correction notice or the text of the rule, contact Dennis Stevenson at (208) 332-1820.

THE FOLLOWING IS THE TEXT OF THE CORRECTED PENDING RULE:

112. ACCOUNTABILITY.

~~The provisions in this section apply for the purposes of meeting the “No Child Left Behind” Act and the state of Idaho accountability requirements.~~ School district, charter school district and public charter school accountability will be based on multiple measures aimed at providing meaningful data showing progress toward interim and long-term goals set by the State Board of Education for student achievement and school improvement. The state accountability framework will be used to meet both state and federal school accountability requirements and will be broken up by school category and include measures of student academic achievement and school quality as determined by the State Board of Education. (3-20-04)()

[Subsection 112.03]

- 03. School Quality Measures by School Category.** ()
- a. K-8.** ()
- i. Students in grade 8 enrolled in pre-algebra or higher.** ()
- ii. State satisfaction and engagement survey administered to parents, students, and teachers (effective starting in the 2018-2019 school year).** ()
- iii. Communication with parents on student achievement (effective starting in the 2018-2019 school year).** ()
- b. High school.** ()
- i. College and career readiness determined through a combination of students participating in advanced opportunities, earning industry recognized certification, and/or participation in recognized high school apprenticeship programs.** ()
- ii. State satisfaction and engagement survey administered to parents, students, and teachers (effective starting in the 2018-2019 school year).** ()
- iii. Students in grade 9 enrolled in algebra I or higher.** ()
- iv. Communication with parents on student achievement (effective starting in the 2018-2019 school year).** ()
- c. Alternative high school.** ()
- i. Credit recovery and accumulation.** ()
- ii. College and career readiness determined through a combination of students participating in advanced opportunities, earning industry recognized certification, and/or participation in recognized high school apprenticeship programs.** ()
- iii. State satisfaction and engagement survey administered to parents, students, and teachers (effective starting in the 2018-2019 school year).** ()
- iv. Communication with parents on student achievement (effective starting in the 2018-2019 school year).** ()

IDAPA 08 – STATE BOARD OF AND STATE DEPARTMENT OF EDUCATION

08.02.03 – RULES GOVERNING THOROUGHNESS

DOCKET NO. 08-0203-1701

NOTICE OF RULEMAKING – ADOPTION OF TEMPORARY RULE

EFFECTIVE DATE: The effective date of the temporary rule is December 15, 2016.

AUTHORITY: In compliance with Sections 67-5226, Idaho Code, notice is hereby given this agency has adopted a temporary rule. The action is authorized pursuant to Sections 33-105 and 33-1612, Idaho Code.

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

The Idaho Content Standards reflect statements of what students should know and do in various content disciplines and grades. Content standards are adopted statewide and reviewed every six (6) years by teams of educators and stakeholders. These standards provide a consistent foundational level of academic content needed to be successful at each grade level and to graduate from Idaho’s public schools.

Idaho Administrative Code requires that students meet locally established standards, with state standards as a minimum. Because of the age of the current science standards and the delay in adopting revised standards, many Idaho school districts have already adopted more rigorous science standards.

The science standards went through the negotiated rulemaking process in April 2016 but did not go to the State Board of Education for adoption with the other revised content standards to allow for additional deliberation. The science standards committee reconvened in October 2016 to address and consider additional public comments and to reformat the science standards document. The revised document is being incorporated by reference in this temporary rule.

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

In order to meet the Constitutional requirement that the Legislature establish and maintain a ‘general, uniform and thorough system of public, free common schools,’ this temporary rule confers a benefit by reestablishing a common baseline in science education statewide.

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 Scott Cook, Director of Academic Services, Support and Professional Development, at (208) 332- 6927 or scook@sde.idaho.gov.

DATED this 19th Day of December, 2016.

Sherri Ybarra
Superintendent of Public Instruction
650 West State St, 2nd Floor
P.O. Box 83720
Boise, ID 83720-0027
Office: (208) 332-6800
Fax: (208) 334-2228

THE FOLLOWING IS THE TEXT OF THE TEMPORARY RULE FOR DOCKET NO. 08-0203-1701
(Only Those Sections With Amendments Are Shown.)

004. INCORPORATION BY REFERENCE.

The following documents are incorporated into this rule: (3-30-07)

01. The Idaho Content Standards. The Idaho Content Standards as adopted by the State Board of Education. Individual subject content standards are adopted in various years in relation to the curricular materials adoption schedule. Copies of the document can be found on the State Board of Education website at www.boardofed.idaho.gov. (3-29-10)

- a. Driver Education, as revised and adopted on August 21, 2008. (3-29-10)
- b. Health, as revised and adopted on April 17, 2009. (3-29-10)
- c. Humanities Categories: (3-29-10)
 - i. Art, as revised and adopted on April 17, 2009; (3-29-10)
 - ii. Dance, as revised and adopted on April 17, 2009; (3-29-10)
 - iii. Drama, as revised and adopted on April 17, 2009; (3-29-10)
 - iv. Interdisciplinary, as revised and adopted on April 17, 2009; (3-29-10)
 - v. Music, as revised and adopted on April 17, 2009; (3-29-10)
 - vi. World languages, as revised and adopted on April 17, 2009; (3-29-10)
- d. English Language Arts, as revised and adopted on August 11, 2010. (4-7-11)
- e. Limited English Proficiency, as revised and adopted on August 21, 2008. (3-29-10)
- f. Mathematics, as revised and adopted on August 11, 2010. (4-7-11)
- g. Physical Education, as revised and adopted on April 17, 2009. (3-29-10)
- h. Science, as revised and adopted on ~~April 17, 2009~~ December 15, 2016. ~~(3-29-10)~~ (12-15-16)T
- i. Social Studies, as revised and adopted on April 17, 2009. (3-29-10)
- j. Information and Communication Technology, as revised and adopted on April 22, 2010. (4-7-11)

02. The English Language Development (ELD) Standards. The World-Class Instructional Design and Assessment (WIDA) 2012 English Language Development (ELD) Standards as adopted by the State Board of Education on August 16, 2012. Copies of the document can be found on the WIDA website at www.wida.us/standards/eld.aspx. (4-4-13)

03. The Limited English Proficiency Program Annual Measurable Achievement Objectives (AMAOs) and Accountability Procedures. The Limited English Proficiency Program Annual Measurable Achievement Objectives and Accountability Procedures as adopted by the State Board of Education on November 11, 2009. Copies of the document can be found on the State Department of Education website at www.sde.idaho.gov. (4-7-11)

- 04. The Idaho English Language Assessment (IELA) Achievement Standards.** The Idaho English Language Assessment (IELA) Achievement Standards as adopted by the State Board of Education on November 11, 2009. Copies of the document can be found on the State Department of Education website at www.sde.idaho.gov. (4-7-11)
- 05. The Idaho Standards Achievement Tests (ISAT) Achievement Level Descriptors.** Achievement Level Descriptors as adopted by the State Board of Education on April 14, 2016. Copies of the document can be found on the State Board of Education website at www.boardofed.idaho.gov. (4-14-16)T
- 06. The Idaho Extended Content Standards.** The Idaho Extended Content Standards as adopted by the State Board of Education on April 17, 2008. Copies of the document can be found at the State Board of Education website at www.boardofed.idaho.gov. (5-8-09)
- 07. The Idaho Alternate Assessment Achievement Standards.** Alternate Assessment Achievement Standards as adopted by the State Board of Education on September 3, 2015. Copies of the document can be found on the State Board of Education website at www.boardofed.idaho.gov. (10-20-16)T
- 08. The Idaho Standards for Infants, Toddlers, Children, and Youth Who Are Deaf or Hard of Hearing.** As adopted by the State Board of Education on October 11, 2007. Copies of the document can be found on the State Board of Education website at www.boardofed.idaho.gov. (4-2-08)
- 09. The Idaho Standards for Infants, Toddlers, Children, and Youth Who Are Blind or Visually Impaired.** As adopted by the State Board of Education on October 11, 2007. Copies of the document can be found on the State Board of Education website at www.boardofed.idaho.gov. (4-2-08)

IDAPA 16 – DEPARTMENT OF HEALTH AND WELFARE

16.04.17 – RULES GOVERNING RESIDENTIAL HABILITATION AGENCIES

DOCKET NO. 16-0417-1701

(THIRD) NOTICE OF INTENT TO PROMULGATE RULES – NEGOTIATED RULEMAKING

AUTHORITY: In compliance with Sections 67-5220(1) and 67-5220(2), Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Section 39-4605, Idaho Code.

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

**Friday, February 3, 2017
10:30 am (Local)**

**Northern Idaho - DHW Office
1120 Ironwood Drive, Suite 102
Large Conference Room
Coeur d'Alene, ID**

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

1. Attend the negotiated rulemaking meetings as scheduled above;
2. Provide oral or written recommendations, or both, at the negotiated rulemaking meetings;
3. Submit written recommendations and comments to this address on or before February 10, 2017:

Eric Brown
DDA/ResHab Certification Program Manager

Idaho Department of Health and Welfare
3232 Elder St, P.O. Box 83720
Boise, ID 83720-0009

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

The Department is holding negotiated rulemaking meetings on this chapter to update and revise certification requirements for Residential Habilitation Agencies operating in Idaho.

CONTACT INFORMATION, WEB ADDRESS, ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning this negotiated rulemaking, contact Eric Brown at (208) 334-0649. Materials pertaining to the negotiated rulemaking under Docket 16-0417-1701, including any available preliminary rule drafts, can be found on the Department's web site at the following web address: www.healthandwelfare.idaho.gov.

All written comments on the negotiated rules must be directed to the contact person above and must be delivered on or before Friday, February 10, 2017.

DATED this 26th day of January, 2017.

Tamara Prisock
DHW - Administrative Rules Unit
Phone: (208) 334-5500 / Fax: (208) 334-6558
E-mail: dhwrules@dhw.idaho.gov

450 W. State Street - 10th Floor
P.O. Box 83720
Boise, ID 83720-0036

IDAPA 59 – PUBLIC EMPLOYEES RETIREMENT SYSTEM OF IDAHO

59.01.03 – PERSI CONTRIBUTION RULES

DOCKET NO. 59-0103-1701

NOTICE OF RULEMAKING – ADOPTION OF TEMPORARY RULE

EFFECTIVE DATE: The effective date of the temporary rule is February 1, 2017.

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

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:

This rule applies to the PERSI Employee General member Contribution Rate. The actuarial valuation for the period ending June 30, 2016 reflected that the amortization period is above the maximum 25 year amortization period contained in Idaho Code section 59-1322. The PERSI Board has acted to adopt the rate increase as it is required to do to bring the amortization period to 25 years or less as required by Idaho Code section 59-1322. The rate increase becomes effective July 1, 2018.

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

The rate increase is required to bring the amortization period to 25 years or less as required by section 59-1322, Idaho Code.

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:

Employer contribution rates will increase by 0.62% of salaries, beginning July 1, 2018. This will affect the general fund to the extent the contributions required of the employer (State of Idaho and political subdivisions and government entities electing to participate in the system) are made from general fund dollars.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the temporary and proposed rule, contact Cheryl George, (208) 287-9231.

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 February 22, 2017.

DATED this 4th day of January, 2017.

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

**THE FOLLOWING IS THE TEXT OF THE TEMPORARY RULE FOR DOCKET NO. 59-0103-1701
(Only Those Sections With Amendments Are Shown.)**

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

The PERSI employer contribution rate as provided in Section 59-1322, Idaho Code, shall be nine point seventy-seven percent (9.77%) of payroll through June 30, 2004. Beginning July 1, 2004, the rate shall be ten point thirty-nine percent (10.39%) of payroll through June 30, 2013. Beginning July 1, 2013, the rate shall be eleven point thirty-two percent (11.32%) of payroll until June 30, 2018. Beginning July 1, 2018, the rate shall be eleven point ninety-four percent (11.94%) until next determined by the Board.

Statutory Reference: Sections 59-1302(16), 59-1391, 59-1394, and 59-1397, Idaho Code. Cross References: (Amended 10-1-94) (Amended 10-1-97) (Amended 10-1-98) (Amended 10-1-99) (Amended 7-1-00) (Amended 3-30-01) (Amended 3-20-04) ~~(10-21-14)~~(2-1-17)T

(BREAK IN CONTINUITY OF SECTIONS)

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

The PERSI employer contribution rate as provided in Section 59-1322, Idaho Code, for an employee classified as a police officer member excluding those listed in Rule 29 of this chapter when applicable, and firefighters excluding those listed in Rule 27 of this chapter, shall be ten point eleven percent (10.11%) of payroll through June 30, 2004. Beginning July 1, 2004, the rate shall be ten point seventy-three percent (10.73%) of payroll through June 30, 2013. Beginning July 1, 2013, the rate shall be eleven point sixty-six percent (11.66%) of payroll June 30, 2018. Beginning July 1, 2018, the rate shall be twelve point twenty-eight percent (12.28%) until next determined by the Board until next determined by the Board.

Statutory References: Cross Reference: (Amended 10-1-94) (Amended 10-1-97) (Amended 10-1-98) (Amended 10-1-99) (Amended 7-1-00) (Amended 3-30-01) (Amended 7-1-03) (Amended 3-20-04) ~~(10-21-14)~~(2-1-17)T

(BREAK IN CONTINUITY OF SECTIONS)

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

The PERSI employee contribution rate as provided in Section 59-1333, Idaho Code, for all members not classified as police members or firefighters, shall be five point eighty-six percent (5.86%) of salary through June 30, 2004. Beginning July 1, 2004, the rate shall be six point twenty-three percent (6.23%) of salary through June 30, 2013. Beginning July 1, 2013, the rate shall be six point seventy-nine percent (6.79%) through June 30, 2018. Beginning July 1, 2018, the rate shall be seven point sixteen percent (7.16%) of salary until next determined by the Board.

Statutory References: Cross Reference: (Amended 10-1-94) (Amended 10-1-97) (Amended 10-1-98) (Amended 10-1-99) (Amended 7-1-00) (Amended 3-30-01) (Amended 3-20-04) ~~(10-21-14)~~(2-1-17)T

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

The employee contribution rate as provided in Section 59-1334, Idaho Code, for an employee classified as a police officer member is seven point twenty-one percent (7.21%) of salary through June 30, 2004. Beginning July 1, 2004, the rate shall be seven point sixty-five percent (7.65%) of salary through June 30, 2013. Beginning July 1, 2013, the rate shall be eight point thirty-two percent (8.32%) through June 30, 2018. Beginning July 1, 2018, the rate shall be eight point eighty-one percent (8.81%) of salary until next determined by the Board.

Statutory References: Cross Reference: (Amended 10-1-94) (Amended 10-1-97) (Amended 10-1-98) (Amended 10-1-99) (Amended 7-1-00) (Amended 3-30-01) (Amended 3-20-04) ~~(10-21-14)~~(2-1-17)T

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IDAPA 59 – PUBLIC EMPLOYEES RETIREMENT SYSTEM OF IDAHO

59.01.03 – PERSI Contribution Rules

Docket No. 59-0103-1701

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LEGAL NOTICE

Summary of Proposed Rulemakings

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

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

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

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: (208) 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

[CUMULATIVE RULEMAKING INDEX OF IDAHO ADMINISTRATIVE RULES](#)

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.

ABRIDGED RULEMAKING INDEX OF IDAHO ADMINISTRATIVE RULES

(Index of Current and Active Rulemakings)

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

March 25, 2016 -- February 1, 2017

(eff. PLR) - Final Effective Date Is Pending Legislative Review

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

(eff. date)T - Temporary Rule Effective Date

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

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

(This Abridged Index includes all active rulemakings.)

IDAPA 01 -- IDAHO BOARD OF ACCOUNTANCY***01.01.01, Idaho Accountancy Rules***

- 01-0101-1601** Proposed Rulemaking, Bulletin Vol. 16-9
- 01-0101-1601** Adoption of Pending Rule, Bulletin Vol. 16-12 (eff. PLR 2017)

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

- 02-0214-1601** Proposed Rulemaking, Bulletin Vol. 16-7
- 02-0214-1601** Adoption of Pending Rule, Bulletin Vol. 16-9 (eff. PLR 2017)

02.04.08, Rules Governing Grade A Milk and Milk Products

- 02-0408-1601** Proposed Rulemaking, Bulletin Vol. 16-7
- 02-0408-1601** Adoption of Pending Rule, Bulletin Vol. 16-10 (eff. PLR 2017)

02.04.14, Rules Governing Dairy Waste

- 02-0414-1601** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-7
- 02-0414-1601** Proposed Rulemaking, Bulletin Vol. 16-10
- 02-0414-1601** Adoption of Pending Rule, Bulletin Vol. 16-12 (eff. PLR 2017)

02.04.15, Rules Governing Beef Cattle Animal Feeding Operations

- 02-0415-1601** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-7
- 02-0415-1601** Proposed Rulemaking, Bulletin Vol. 16-10
- 02-0415-1601** Adoption of Pending Rule, Bulletin Vol. 16-12 (eff. PLR 2017)

02.04.16, Rules Governing Agriculture Odor Management

- 02-0416-1601** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-7
- 02-0416-1601** Proposed Rulemaking, Bulletin Vol. 16-10
- 02-0416-1601** Adoption of Pending Rule, Bulletin Vol. 16-12 (eff. PLR 2017)

02.04.18, Rules Governing CAFO Site Advisory Team

- 02-0418-1601** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-7

02.04.19, Rules Governing Domestic Cervidae

- 02-0419-1601** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-7
- 02-0419-1601** Proposed Rulemaking, Bulletin Vol. 16-10
- 02-0419-1601** Adoption of Pending Rule, Bulletin Vol. 16-12 (eff. PLR 2017)

02.04.21, Rules Governing the Importation of Animals

- 02-0421-1601** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-7
- 02-0421-1602** Adoption of Temporary Rule, Bulletin Vol. 16-8 (Eff. 7-1-16)T
- 02-0421-1601** Proposed Rulemaking, Bulletin Vol. 16-10
- 02-0421-1601** Adoption of Pending Rule, Bulletin Vol. 16-12 (eff. PLR 2017)

02.04.30, Rules Governing Nutrient Management

- 02-0430-1601** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-7

02.04.31, Rules Governing the Stockpiling of Agricultural Waste

- 02-0431-1601** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-7

02.04.32, Rules Governing Poultry Operations

- 02-0432-1601** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-7

- 02-0432-1601** Proposed Rulemaking, Bulletin Vol. 16-10
02-0432-1601 Adoption of Pending Rule, Bulletin Vol. 16-12 (eff. PLR 2017)

02.06.02, Rules Pertaining to the Idaho Commercial Feed Law

- 02-0602-1601** Proposed Rulemaking, Bulletin Vol. 16-7
02-0602-1601 Adoption of Pending Rule, Bulletin Vol. 16-9 (PLR 2017)

02.06.12, Rules Pertaining to the Idaho Fertilizer Law

- 02-0612-1601** Proposed Rulemaking, Bulletin Vol. 16-7
02-0612-1601 Adoption of Pending Rule, Bulletin Vol. 16-9 (PLR 2017)

02.06.21, Rules for Voluntary Public Services of the Idaho Department of Agriculture Laboratories

- 02-0621-1601** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-7

02.06.22, Noxious Weed Rules

- 02-0622-1601** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-7
02-0622-1601 Proposed Rulemaking, Bulletin Vol. 16-9
02-0622-1601 Adoption of Pending Rule, Bulletin Vol. 16-11 (PLR 2017)

02.06.31, Noxious Weed Free Forage and Straw Certification Rules

- 02-0631-1601** Adoption of Temporary Rule, Bulletin Vol. 16-7 (Eff. 6-1-16)T
02-0631-1602 Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-7
02-0631-1602 Proposed Rulemaking, Bulletin Vol. 16-9
02-0631-1601 Adoption of Pending Rule, Bulletin Vol. 16-11 (PLR 2017)

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

- 02-0641-1601** Proposed Rulemaking, Bulletin Vol. 16-7
02-0641-1601 Adoption of Pending Rule, Bulletin Vol. 16-9 (PLR 2017)

IDAPA 05 -- DEPARTMENT OF JUVENILE CORRECTIONS***05.01.03, Rules of the Custody Review Board***

- 05-0103-1601** Proposed Rulemaking, Bulletin Vol. 16-9
05-0103-1601 Adoption of Pending Rule, Bulletin Vol. 17-1 (eff. PLR 2017)

IDAPA 06 -- STATE BOARD OF CORRECTION***06.01.02, Rules of Correctional Industries***

- 06-0102-1601** Notice of Proclamation of Rulemaking, Bulletin Vol. 16-9 (eff. 10-7-16)

IDAPA 07 -- DIVISION OF BUILDING SAFETY

- 07-0800-1501** Omnibus Notice of Intent to Promulgate - Negotiated Rulemaking, Bulletin Vol. 15-12
(Rulemaking affects all Chapters under Title 08 - "Idaho Minimum Safety Standards and Practices for Logging")

07.01.06, Rules Governing the Use of National Electrical Code

- 07-0106-1601** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-5
07-0106-1601 Proposed Rulemaking, Bulletin Vol. 16-10
07-0106-1601 Adoption of Pending Rule, Bulletin Vol. 16-12 (eff. PLR 2017)

07.02.02, Rules Governing Plumbing Permits

- 07-0202-1601** Proposed Rulemaking (Fee Rule), Bulletin Vol. 16-10

07-0202-1601 Adoption of Pending Fee Rule, Bulletin Vol. 16-12 (eff. PLR 2017)

07.02.05, Rules Governing Plumbing Safety Licensing

07-0205-1601 Proposed Rulemaking, Bulletin Vol. 16-9

07-0205-1601 Adoption of Pending Rule, Bulletin Vol. 16-12 (eff. PLR 2017)

07.02.06, Rules Concerning the Idaho State Plumbing Code

07-0206-1601 Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-4

07-0206-1601 Proposed Rulemaking, Bulletin Vol. 16-10

07-0206-1601 Adoption of Pending Rule, Bulletin Vol. 16-12 (eff. PLR 2017)

07.02.07, Rules Governing Civil Penalties

07-0207-1601 Proposed Rulemaking, Bulletin Vol. 16-9

07-0207-1601 Adoption of Pending Rule, Bulletin Vol. 16-12 (eff. PLR 2017)

07.03.01, Rules of Building Safety

07-0301-1601 Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-3

07-0301-1601 Proposed Rulemaking, Bulletin Vol. 16-10

07-0301-1601 Adoption of Pending Rule, Bulletin Vol. 16-12 (eff. PLR 2017)

07.05.01, Rules of the Public Works Contractors License Board

07-0501-1601 Proposed Rulemaking, Bulletin Vol. 16-10

07-0501-1601 Adoption of Pending Rule, Bulletin Vol. 16-12 (eff. PLR 2017)

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

07-0701-1601 Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-6

07-0701-1601 Proposed Rulemaking, Bulletin Vol. 16-10

07-0701-1602 Proposed Rulemaking (Fee Rule), Bulletin Vol. 16-10

07-0701-1601 Adoption of Pending Rule, Bulletin Vol. 16-12 (eff. PLR 2017)

07-0701-1602 Adoption of Pending Fee Rule, Bulletin Vol. 16-12 (eff. PLR 2017)

07-0800-1501 Omnibus Notice of Intent to Promulgate - Negotiated Rulemaking, Bulletin Vol. 15-12
(Rulemaking affects all Chapters under Title 08 - "Idaho Minimum Safety Standards and Practices for Logging")

07.08.01, Idaho Minimum Safety Standards and Practices for Logging -- General Provisions

07-0800-1501 Omnibus Notice of Intent to Promulgate - Negotiated Rulemaking, Bulletin Vol. 15-12

07-0801-1601 Proposed Rulemaking, Bulletin Vol. 16-10

07-0801-1601 Adoption of Pending Rule, Bulletin Vol. 16-12 (eff. PLR 2017)

07.08.02, Idaho Minimum Safety Standards and Practices for Logging -- Health, Safety, and Sanitation

07-0800-1501 Omnibus Notice of Intent to Promulgate - Negotiated Rulemaking, Bulletin Vol. 15-12

07-0802-1601 Proposed Rulemaking, Bulletin Vol. 16-10

07-0802-1601 Adoption of Pending Rule, Bulletin Vol. 16-12 (eff. PLR 2017)

07.08.03, Idaho Minimum Safety Standards and Practices for Logging -- Explosives and Blasting

07-0800-1501 Omnibus Notice of Intent to Promulgate - Negotiated Rulemaking, Bulletin Vol. 15-12

07-0803-1601 Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 16-10

07-0803-1601 Adoption of Pending Rule (Chapter Repeal), Bulletin Vol. 16-12 (eff. PLR 2017)

***07.08.04, Idaho Minimum Safety Standards and Practices for Logging -- Garages, Machine Shops,
and Related Work Areas***

07-0800-1501 Omnibus Notice of Intent to Promulgate - Negotiated Rulemaking, Bulletin Vol. 15-12

07-0804-1601 Proposed Rulemaking, Bulletin Vol. 16-10

07-0804-1601 Adoption of Pending Rule, Bulletin Vol. 16-12 (eff. PLR 2017)

07.08.05, Idaho Minimum Safety Standards and Practices for Logging -- Signals and Signal Systems

- 07-0800-1501** Omnibus Notice of Intent to Promulgate - Negotiated Rulemaking, Bulletin Vol. 15-12
- 07-0805-1601** Proposed Rulemaking, Bulletin Vol. 16-10
- 07-0805-1601** Adoption of Pending Rule, Bulletin Vol. 16-12 (eff. PLR 2017)

07.08.06, Idaho Minimum Safety Standards and Practices for Logging -- Truck Road Standards

- 07-0800-1501** Omnibus Notice of Intent to Promulgate - Negotiated Rulemaking, Bulletin Vol. 15-12
- 07-0806-1601** Proposed Rulemaking, Bulletin Vol. 16-10
- 07-0806-1601** Adoption of Pending Rule, Bulletin Vol. 16-12 (eff. PLR 2017)

07.08.07, Idaho Minimum Safety Standards and Practices for Logging -- Transportation of Employees

- 07-0800-1501** Omnibus Notice of Intent to Promulgate - Negotiated Rulemaking, Bulletin Vol. 15-12
- 07-0807-1601** Proposed Rulemaking, Bulletin Vol. 16-10
- 07-0807-1601** Adoption of Pending Rule, Bulletin Vol. 16-12 (eff. PLR 2017)

07.08.08, Idaho Minimum Safety Standards and Practices for Logging -- Falling and Bucking

- 07-0800-1501** Omnibus Notice of Intent to Promulgate - Negotiated Rulemaking, Bulletin Vol. 15-12
- 07-0808-1601** Proposed Rulemaking, Bulletin Vol. 16-10
- 07-0808-1601** Adoption of Pending Rule, Bulletin Vol. 16-12 (eff. PLR 2017)

07.08.09, Idaho Minimum Safety Standards and Practices for Logging -- Rigging, Lines, Blocks, and Shackles

- 07-0800-1501** Omnibus Notice of Intent to Promulgate - Negotiated Rulemaking, Bulletin Vol. 15-12
- 07-0809-1601** Proposed Rulemaking, Bulletin Vol. 16-10
- 07-0809-1601** Adoption of Pending Rule, Bulletin Vol. 16-12 (eff. PLR 2017)

07.08.10, Idaho Minimum Safety Standards and Practices for Logging -- Canopy and Canopy Construction for Logging Equipment

- 07-0800-1501** Omnibus Notice of Intent to Promulgate - Negotiated Rulemaking, Bulletin Vol. 15-12
- 07-0810-1601** Proposed Rulemaking, Bulletin Vol. 16-10
- 07-0810-1601** Adoption of Pending Rule, Bulletin Vol. 16-12 (eff. PLR 2017)

07.08.11, Idaho Minimum Safety Standards and Practices for Logging -- Skidding and Yarding

- 07-0800-1501** Omnibus Notice of Intent to Promulgate - Negotiated Rulemaking, Bulletin Vol. 15-12
- 07-0811-1601** Proposed Rulemaking, Bulletin Vol. 16-10
- 07-0811-1601** Adoption of Pending Rule, Bulletin Vol. 16-12 (eff. PLR 2017)

07.08.12, Idaho Minimum Safety Standards and Practices for Logging -- Road Transportation

- 07-0800-1501** Omnibus Notice of Intent to Promulgate - Negotiated Rulemaking, Bulletin Vol. 15-12
- 07-0812-1601** Proposed Rulemaking, Bulletin Vol. 16-10
- 07-0812-1601** Adoption of Pending Rule, Bulletin Vol. 16-12 (eff. PLR 2017)

07.08.13, Idaho Minimum Safety Standards and Practices for Logging -- Log Dumps, Landing, Log Handling Equipment, Loading and Unloading Booms, Log Ponds, Rafting, Towing, Stiff Booms, Boom Sticks and Foot Logs, Pond Boats and Tow Boats and Trailer Loading Hoists

- 07-0800-1501** Omnibus Notice of Intent to Promulgate - Negotiated Rulemaking, Bulletin Vol. 15-12
- 07-0813-1601** Proposed Rulemaking, Bulletin Vol. 16-10
- 07-0813-1601** Adoption of Pending Rule, Bulletin Vol. 16-12 (eff. PLR 2017)

07.08.14, Idaho Minimum Safety Standards and Practices for Logging -- Helicopter Logging

- 07-0800-1501** Omnibus Notice of Intent to Promulgate - Negotiated Rulemaking, Bulletin Vol. 15-12
- 07-0814-1601** Proposed Rulemaking, Bulletin Vol. 16-10
- 07-0814-1601** Adoption of Pending Rule, Bulletin Vol. 16-12 (eff. PLR 2017)

07.08.15, Idaho Minimum Safety Standards and Practices for Logging -- Commonly Used Logging Terms

- 07-0800-1501 Omnibus Notice of Intent to Promulgate - Negotiated Rulemaking, Bulletin Vol. 15-12
- 07-0815-1601 Proposed Rulemaking, Bulletin Vol. 16-10
- 07-0815-1601 Adoption of Pending Rule, Bulletin Vol. 16-12 (eff. PLR 2017)

07.08.16, Idaho Minimum Safety Standards and Practices for Logging -- Recommended Safety Program

- 07-0800-1501 Omnibus Notice of Intent to Promulgate - Negotiated Rulemaking, Bulletin Vol. 15-12
- 07-0816-1601 Proposed Rulemaking, Bulletin Vol. 16-10
- 07-0816-1601 Adoption of Pending Rule, Bulletin Vol. 16-12 (eff. PLR 2017)

07.10.01, Rules Governing the Damage Prevention Board

- 07-1001-1601 Temporary and Proposed Rulemaking (New Chapter - Fee Rule), Bulletin Vol. 16-11 (eff. 12-1-16)T
- 07-1001-1601 Adoption of Pending Rule, Bulletin Vol. 17-1 (eff. PLR 2017)

**IDAHA 08 -- IDAHO STATE BOARD OF EDUCATION
AND STATE DEPARTMENT OF EDUCATION****08.01.02, Rules Governing Postsecondary Credit Scholarship Program**

- 08-0102-1601 Notice of Intent to Promulgate a Rule - Negotiated Rulemaking (New Chapter), Bulletin Vol. 16-7
- 08-0102-1601 Temporary and Proposed Rulemaking (New Chapter), Bulletin Vol. 16-10 (eff. 8-11-16)T
- 08-0102-1601 Adoption of Pending Rule (New Chapter), Bulletin Vol. 17-1 (eff. PLR 2017)

08.01.04, Residency

- 08-0104-1601 Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-7
- 08-0104-1601 Temporary and Proposed Rulemaking (New Chapter), Bulletin Vol. 16-10 (eff. 8-11-16)T
- 08-0104-1601 Adoption of Pending Rule, Bulletin Vol. 17-1 (eff. PLR 2017)

08.01.09, Rules Governing the GEAR UP Idaho Scholarship Program

- 08-0109-1601 Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-6
- 08-0109-1601 Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 16-10
- 08-0109-1601 Adoption of Pending Rule (Chapter Repeal), Bulletin Vol. 17-1 (eff. PLR 2017)

08.02.01, Rules Governing Administration

- 08-0201-1601* Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-6 (*Rulemaking Terminated)
- 08-0201-1602 Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-7
- 08-0201-1603 Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-7
- 08-0201-1604 Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-7
- 08-0201-1602 Temporary and Proposed Rulemaking, Bulletin Vol. 16-10 (eff. 8-11-16)T
- 08-0201-1603 Temporary and Proposed Rulemaking, Bulletin Vol. 16-10 (eff. 8-11-16)T
- 08-0201-1604 Temporary and Proposed Rulemaking, Bulletin Vol. 16-10 (eff. 8-11-16)T
- 08-0201-1605 Adoption of Temporary Rule, Bulletin Vol. 16-12 (eff. 10-19-16)T
- 08-0201-1602 Adoption of Pending Rule, Bulletin Vol. 17-1 (eff. PLR 2017)
- 08-0201-1603 Adoption of Pending Rule, Bulletin Vol. 17-1 (eff. PLR 2017)
- 08-0201-1604 Adoption of Pending Rule, Bulletin Vol. 17-1 (eff. PLR 2017)

08.02.02, Rules Governing Uniformity

- 08-0202-1601 Adoption of Temporary Rule, Bulletin Vol. 16-4 (eff. 2-18-16)T
- 08-0202-1602 Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-4
- 08-0202-1603 Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-4
- 08-0202-1604 Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-4
- 08-0202-1605 Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-5
- 08-0202-1606 Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-6 (docket pulled prior to publication)
- 08-0202-1607 Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-6
- 08-0202-1602 Proposed Rulemaking, Bulletin Vol. 16-8
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- 08-0202-1604 Proposed Rulemaking, Bulletin Vol. 16-8

- 08-0202-1605 Proposed Rulemaking, Bulletin Vol. 16-8
- 08-0202-1607 Proposed Rulemaking, Bulletin Vol. 16-10
- 08-0202-1602 Adoption of Pending Rule, Bulletin Vol. 17-1 (eff. PLR 2017)
- 08-0202-1603 Adoption of Pending Rule, Bulletin Vol. 17-1 (eff. PLR 2017)
- 08-0202-1604 Adoption of Pending Rule, Bulletin Vol. 17-1 (eff. PLR 2017)
- 08-0202-1605 Adoption of Pending Rule, Bulletin Vol. 17-1 (eff. PLR 2017)
- 08-0202-1607 Adoption of Pending Rule, Bulletin Vol. 17-1 (eff. PLR 2017)
- 08-0202-1607 Notice of Correction to Pending Rule, Bulletin Vol. 17-2 (eff. PLR 2017)

08.02.03, Rules Governing Thoroughness

- 08-0203-1504* Temporary and Proposed Rulemaking, Bulletin Vol. 15-6 (4-16-15)T (**Temporary rule expires Sine Die 2016*)
- 08-0203-1504 Notice of Vacation of Proposed Rulemaking, Bulletin Vol. 16-10
- 08-0203-1601 Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-4
- 08-0203-1602* *Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-4 (Rulemaking terminated, promulgated incorrectly under wrong chapter; replaced by docket number 08-0202-1605)*
- 08-0203-1603 Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-4
- 08-0203-1604 Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-4
- 08-0203-1605 Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-4
- 08-0203-1606 Temporary and Proposed Rulemaking, Bulletin Vol. 16-6 (eff. 4-14-16)T
- 08-0203-1607* *Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-6 (*Rulemaking Terminated)*
- 08-0203-1608 Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-6
- 08-0203-1609 Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-6
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