

# IDAHO ADMINISTRATIVE BULLETIN

April 5, 2017 -- Volume 17-4

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# 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](http://adminrules.idaho.gov).

## THE DIFFERENT RULES PUBLISHED IN THE ADMINISTRATIVE BULLETIN

Idaho’s administrative rulemaking process, governed by the Administrative Procedure Act, Title 67, Chapter 52, Idaho Code, comprises 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.

## **2. 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 very specific information regarding the rulemaking including all relevant state or federal statutory authority occasioning the rulemaking, a non-technical description of the changes being made, any associated costs, guidance on how to participate through submission of written comments and requests for public hearings, and the text of the proposed rule in legislative format.

## **3. 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 these criteria, and with the Governor’s approval, the agency may adopt and make a temporary rule effective prior to receiving legislative authorization and without allowing for any public input. The law allows an agency to make a temporary rule immediately effective upon adoption. 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.

## **4. 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 statement giving the reasons for adopting the rule, a statement regarding when the rule becomes effective, a description of how it differs from the proposed rule, and identification of any fees being imposed or changed.

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.

## **5. 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.

## 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.

1. **“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 2017**

Vol. No.	Monthly Issue of Bulletin	Closing Date for Agency Filing	Publication Date	21-day Comment Period End Date
17-1	January 2017	<b>*November 25, 2016</b>	January 4, 2017	January 25, 2017
17-2	February 2017	January 6, 2017	February 1, 2017	February 22, 2017
17-3	March 2017	February 3, 2017	March 1, 2017	March 22, 2017
17-4	April 2017	March 3, 2017	April 5, 2017	April 26, 2017
17-5	May 2017	April 7, 2017	May 3, 2017	May 24, 2017
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	<b>**September 1, 2017</b>	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

**BULLETIN PUBLICATION SCHEDULE FOR CALENDAR YEAR 2018**

Vol. No.	Monthly Issue of Bulletin	Closing Date for Agency Filing	Publication Date	21-day Comment Period End Date
18-1	January 2018	<b>*November 24, 2017</b>	January 3, 2018	January 24, 2018
18-2	February 2018	January 5, 2018	February 7, 2018	February 28, 2018
18-3	March 2018	February 2, 2018	March 7, 2018	March 28, 2018
18-4	April 2018	March 2, 2018	April 4, 2018	April 25, 2018
18-5	May 2018	April 6, 2018	May 2, 2018	May 23, 2018
18-6	June 2018	May 4, 2018	June 6, 2018	June 27, 2018
18-7	July 2018	June 8, 2018	July 4, 2018	July 25, 2018
18-8	August 2018	July 6, 2018	August 1, 2018	August 22, 2018
18-9	September 2018	August 3, 2018	September 5, 2018	September 26, 2018
18-10	October 2018	<b>**August 31, 2018</b>	October 3, 2018	October 24, 2018
18-11	November 2018	October 5, 2018	November 7, 2018	November 28, 2018
18-12	December 2018	November 2, 2018	December 5, 2018	December 26, 2018

***\*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.***

<b>ALPHABETICAL INDEX OF STATE AGENCIES AND CORRESPONDING IDAPA NUMBERS</b>	
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<b>IDAPA 02</b>	<b>Agriculture</b> , Idaho Department of
<b>IDAPA 40</b>	<b>Arts</b> , Idaho Commission on the
<b>IDAPA 03</b>	<b>Athletic Commission</b>
<b>IDAPA 04</b>	<b>Attorney General</b> , Office of the
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<b>IDAPA 07</b>	<b>Building Safety</b> , Division of Electrical Board (07.01) Plumbing Board (07.02) Building Codes & Manufactured Homes (07.03) Building Code Advisory Board (07.03.01) Public Works Contractors License Board (07.05) Uniform School Building Safety (07.06) HVAC Board (07.07)
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<b>IDAPA 28</b>	<b>Commerce</b> , Idaho Department of
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<b>IDAPA 09</b>	<b>Labor</b> , Idaho Department of
<b>IDAPA 20</b>	<b>Lands</b> , Department of
<b>IDAPA 30</b>	<b>Libraries</b> , Commission for
<b>IDAPA 52</b>	<b>Lottery Commission</b> , Idaho State
<b>IDAPA 22</b>	<b>Medicine</b> , Board of
<b>IDAPA 23</b>	<b>Nursing</b> , Board of

**ALPHABETICAL INDEX OF STATE AGENCIES  
AND CORRESPONDING IDAPA NUMBERS**

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<b>IDAPA 49</b>	<b>Shorthand Reporters Board, Idaho Certified</b>
<b>IDAPA 60</b>	<b>Soil and Water Conservation Commission, Idaho State</b>

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<b>IDAPA 39</b>	<b>Transportation Department, Idaho</b>
<b>IDAPA 54</b>	<b>Treasurer, Office of the State</b>
<b>IDAPA 21</b>	<b>Veterans Services, Division of</b>
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<b>IDAPA 42</b>	<b>Wheat Commission</b>

## IDAPA 07 – DIVISION OF BUILDING SAFETY

### 07.02.04 – RULES GOVERNING PLUMBING SAFETY INSPECTIONS

DOCKET NO. 07-0204-1701

#### NOTICE OF INTENT TO PROMULGATE RULES – NEGOTIATED RULEMAKING

**AUTHORITY:** In compliance with Sections 67-5220(1) and 67-5220(2), Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Sections 54-2601, 54-2605 and 54-2606, Idaho Code.

**MEETING SCHEDULE:** Public meetings on the negotiated rulemaking will be held by the Idaho Plumbing Board, and are scheduled as follows:

<b>Thursday, May 18, 2017</b> <b>9:30 a.m. (MDT)</b>	<b>Thursday, July 27, 2017</b> <b>9:30 a.m. (MDT)</b>
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**Idaho Division of Building Safety**  
**1090 E. Watertower, Suite 150**  
**Meridian, ID 83642**

**via VIDEO-TELECONFERENCE**  
**(same dates and times as above)**  
**at the following Division of Building Safety locations:**

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

**Pocatello Regional Office**  
**2055 Garrett Way, Bldg. 1, Suite 4**  
**Pocatello, ID 83201**

During the scheduled public meetings, additional negotiated rulemaking meetings may be established by the Board, if necessary. Adequate notice of the dates, locations, and manner of participation of any such additional meetings will be posted on the Division of Building Safety website at <http://dbs.idaho.gov/>.

The meeting sites will be accessible to persons with disabilities, if needed. Requests for accommodation must be made not alter 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:

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

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

Pursuant to Section 54-2601, Idaho Code, the Idaho Plumbing Board has the authority through the promulgation of rules to ensure that all plumbing and plumbing systems in the state are installed substantially in accord with the Idaho State Plumbing Code. The Plumbing Board desires to remove the “Cross Connection Control Manual” published by the Pacific Northwest Section of the American Water Works Association (AWWA) as the standard by which cross connection control and back flow devices shall be installed, and adopt a new standard with regard to such installations, which may include application of existing provisions within the 2015 Idaho State Plumbing Code related thereto. The Board seeks the participation of the affected industry, enforcement jurisdictions, water purveyors,

and the public at large in this rulemaking process to ensure that due consideration is given to the varying views about the adoption of installation standards for cross connection control and backflow prevention devices for application in Idaho.

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING COPIES:** For assistance on technical questions concerning this negotiated rulemaking or to obtain a copy of the preliminary draft of the text of the proposed rule, if available, contact Ron Whitney, Deputy Administrator, Division of Building Safety at (208) 332-7150. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the DBS website at <http://dbs.idaho.gov/>.

Anyone may submit written comments regarding this negotiated rulemaking. All written comments, questions, recommendations, and ideas must be directed to the undersigned and must be submitted on the appropriate form to the Division of Building Safety or the Idaho Plumbing Board by May 11, 2017. Forms may be submitted via email to [neg.rules@dbs.idaho.gov](mailto:neg.rules@dbs.idaho.gov).

DATED this 6th day of March, 2017.

Ron Whitney, Deputy Administrator  
Division of Building Safety  
1090 E. Watertower St., Ste. 150  
P. O. Box 83720  
Meridian, ID 83642  
Phone: (208) 332-7150  
Fax: (877) 810-2840

**IDAPA 07 – DIVISION OF BUILDING SAFETY**

**07.02.06 – RULES CONCERNING IDAHO STATE PLUMBING CODE**

**DOCKET NO. 07-0206-1701**

**NOTICE OF INTENT TO PROMULGATE RULES – NEGOTIATED RULEMAKING**

**AUTHORITY:** In compliance with Sections 67-5220(1) and 67-5220(2), Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Sections 54-2601 and 54-2605, Idaho Code.

**MEETING SCHEDULE:** Public meetings on the negotiated rulemaking will be held by the Idaho Plumbing Board, and are scheduled as follows:

<b>Thursday, May 18, 2017 9:30 a.m. (MDT)</b>	<b>Thursday, July 27, 2017 9:30 a.m. (MDT)</b>
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**Idaho Division of Building Safety  
1090 E. Watertower, Suite 150  
Meridian, ID 83642**

**via VIDEO-TELECONFERENCE  
(same dates and times as above)  
at the following Division of Building Safety locations:**

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

**Pocatello Regional Office  
2055 Garrett Way, Bldg. 1, Suite 4  
Pocatello, ID 83201**

During the scheduled public meetings, additional negotiated rulemaking meetings may be established by the Board, if necessary. Adequate notice of the dates, locations, and manner of participation of any such additional meetings will be posted on the Division of Building Safety website <http://dbs.idaho.gov/>.

The meeting sites will be accessible to persons with disabilities, if needed. Requests for accommodation must be made not alter 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:

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

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

Pursuant to Section 54-2601, Idaho Code, the Idaho Plumbing Board has the authority through the promulgation of rules to adopt and amend the Idaho State Plumbing Code. The Plumbing Board desires to amend provisions of the code as it determines necessary through the negotiated rulemaking process. The Board seeks the participation of the affected industry, enforcement jurisdictions, and the public at large in this rulemaking process to ensure that due consideration is given to the varying views about the adoption of amendments to this code for application in Idaho.

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING COPIES:** For assistance on technical questions concerning this negotiated rulemaking or to obtain a copy of the preliminary draft of the text of the proposed rule, if available, contact Ron Whitney, Deputy Administrator, Division of Building Safety at (208) 332-7150. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the DBS website at <http://dbs.idaho.gov/>.

Anyone may submit written comments regarding this negotiated rulemaking. All written comments, questions, recommendations, and ideas must be directed to the undersigned and must be submitted on the appropriate form to the Division of Building Safety or the Idaho Building Code Board by May 11, 2017. Forms may be submitted via email to [neg.rules@dbs.idaho.gov](mailto:neg.rules@dbs.idaho.gov).

DATED this 6th day of March, 2017.

Ron Whitney, Deputy Administrator  
Division of Building Safety  
1090 E. Watertower St., Ste. 150  
P. O. Box 83720  
Meridian, ID 83642  
Phone: (208) 332-7150  
Fax: (877) 810-2840

**IDAPA 07 – DIVISION OF BUILDING SAFETY**

**07.03.11 – RULES GOVERNING MANUFACTURED/MOBILE HOME INDUSTRY LICENSING**

**DOCKET NO. 07-0311-1701**

**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 addressing education requirements for the renewal of certain manufactured home licenses in the State of Idaho. The Division of Building Safety desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Section 44-2104, Idaho Code.

**MEETING SCHEDULE:** Public meetings on the negotiated rulemaking will be held by the Factory Built Structures Advisory Board, and are scheduled as follows:

<b>Tuesday, May 9, 2017 9:30 a.m. (MDT)</b>	<b>Tuesday, July 11, 2017 9:30 a.m. (MDT)</b>
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**Idaho Division of Building Safety  
1090 E. Watertower, Suite 150  
Meridian, ID 83642**

**via VIDEO-TELECONFERENCE  
(same dates and times as above)  
at the following Division of Building Safety locations:**

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

**Pocatello Regional Office  
2055 Garrett Way, Bldg. 1, Suite 4  
Pocatello, ID 83201**

During the scheduled public meetings, additional negotiated rulemaking meetings may be established by the Board, if necessary. Adequate notice of the dates, locations, and manner of participation of any such additional meetings will be posted on the Division of Building Safety website <http://dbs.idaho.gov/>.

The meeting sites will be accessible to persons with disabilities, if needed. Requests for accommodation must be made not alter 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:

Interested members of the public who wish to participate must submit any written comments, questions, recommendations, or ideas to the Division of Building Safety, Manufactured Housing Program on designated forms available at the Division of Building Safety website <http://dbs.idaho.gov/> and at the DBS offices in Meridian, Coeur d’Alene, and Pocatello, Idaho. Individuals may also attend the public meetings to be conducted on the above dates during which the Division will allow oral comments or presentations to be made. You may contact the Division by contacting Ron Whitney at the Division of Building Safety. Mr. Whitney’s email address is [Ron.Whitney@dbs.idaho.gov](mailto:Ron.Whitney@dbs.idaho.gov).

Upon conclusion of the negotiated rulemaking, any unresolved issues, all key issues considered, and conclusions reached during the negotiated rulemaking will be addressed in a written summary. The summary will be made available to interested persons who contact the agency or, if the agency chooses, the summary may be posted on the agency website.

**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:

Individuals licensed in the Manufactured and Mobile Home industry as installers and retailers who are installers are required to perform continuing education in order to renew their licenses. The Division, along with the Board and interested participants in the industry seek to modify the required amount of continuing education over a designated period to reflect a more practical and valuable schedule for licensees to acquire necessary education. The Division seeks the participation of the affected industry, interested parties, and the public at large in this rulemaking process to ensure that due consideration is given to the varying views about the adoption of education requirements for the renewal of manufactured home licenses in the state of Idaho.

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING COPIES:** For assistance on technical questions concerning this negotiated rulemaking or to obtain a copy of the preliminary draft of the text of the proposed rule, if available, contact Ron Whitney, Deputy Administrator – Division of Building Safety (208) 332-7150. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the DBS website at <http://dbs.idaho.gov/>.

Anyone may submit written comments regarding this negotiated rulemaking. All written comments, questions, recommendations, and ideas must be directed to the undersigned and must be submitted on the appropriate form to the Division of Building Safety by May 2, 2017. Forms may be submitted via email to [neg.rules@dbs.idaho.gov](mailto:neg.rules@dbs.idaho.gov).

DATED this 17th day of February, 2017.

Ron Whitney, Deputy Administrator  
Division of Building Safety  
1090 E. Watertower St., Ste. 150  
P. O. Box 83720  
Meridian, ID 83642  
Phone: (208) 332-7150  
Fax: (877) 810-2840

**IDAPA 07 – DIVISION OF BUILDING SAFETY**

**07.03.12 – RULES GOVERNING MANUFACTURED OR MOBILE HOME INSTALLATIONS**

**DOCKET NO. 07-0312-1701**

**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 addressing the Idaho Manufactured Home Installation Standard in the State of Idaho, as well as training requirements for manufactured home installation inspectors. The Division of Building Safety desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Sections 44-2201 and 44-2104, Idaho Code.

**MEETING SCHEDULE:** Public meetings on the negotiated rulemaking will be held by the Factory Built Structures Advisory Board, and are scheduled as follows:

<b>Tuesday, May 9, 2017</b> <b>9:30 a.m. (MDT)</b>	<b>Tuesday, July 11, 2017</b> <b>9:30 a.m. (MDT)</b>
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**Idaho Division of Building Safety  
1090 E. Watertower, Suite 150  
Meridian, ID 83642**

**via VIDEO-TELECONFERENCE  
(same dates and times as above)  
at the following Division of Building Safety locations:**

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

**Pocatello Regional Office  
2055 Garrett Way, Bldg. 1, Suite 4  
Pocatello, ID 83201**

During the scheduled public meetings, additional negotiated rulemaking meetings may be established by the Board, if necessary. Adequate notice of the dates, locations, and manner of participation of any such additional meetings will be posted on the Division of Building Safety website <http://dbs.idaho.gov/>.

The meeting sites will be accessible to persons with disabilities, if needed. Requests for accommodation must be made not alter 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:

Interested members of the public who wish to participate must submit any written comments, questions, recommendations, or ideas to the Division of Building Safety, Manufactured Housing Program on designated forms available at the Division of Building Safety website <http://dbs.idaho.gov/> and at the DBS offices in Meridian, Coeur d’Alene, and Pocatello, Idaho. Individuals may also attend the public meetings to be conducted on the above dates during which the Division will allow oral comments or presentations to be made. You may contact the Division by contacting Ron Whitney at the Division of Building Safety. Mr. Whitney’s email address is [Ron.Whitney@dbs.idaho.gov](mailto:Ron.Whitney@dbs.idaho.gov).

Upon conclusion of the negotiated rulemaking, any unresolved issues, all key issues considered, and conclusions reached during the negotiated rulemaking will be addressed in a written summary. The summary will be made available to interested persons who contact the agency or, if the agency chooses, the summary may be posted on the agency website.

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

Pursuant to Section 44-2201, Idaho Code, all used mobile and manufactured homes shall be installed in accordance with the Idaho Manufactured Home Installation Standard, as provided by rule. The Idaho Manufactured Home Installation Standard has not been updated since 2004, and the Division of Building Safety, the Board, and interested members of the industry desire to adopt a newer edition of the standard reflecting installation requirements and safety considerations currently applicable to the industry. Additionally, the Division is seeking to modify the annual training requirements for manufactured home installation inspectors. The Division seeks the participation of the affected industry, inspection authorities, interested parties, and the public at large in this rulemaking process to ensure that due consideration is given to the varying views about the adoption of a new edition of the Idaho Manufactured Home Installation Standard, as well as installation inspector requirements for application in Idaho.

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING COPIES:** For assistance on technical questions concerning this negotiated rulemaking or to obtain a copy of the preliminary draft of the text of the proposed rule, if available, contact Ron Whitney, Deputy Administrator – Division of Building Safety (208) 332-7150. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the DBS website at <http://dbs.idaho.gov/>.

Anyone may submit written comments regarding this negotiated rulemaking. All written comments, questions, recommendations, and ideas must be directed to the undersigned and must be submitted on the appropriate form to the Division of Building Safety or the by May 2, 2017. Forms may be submitted via email to [neg.rules@dbs.idaho.gov](mailto:neg.rules@dbs.idaho.gov).

DATED this 17th day of February, 2017.

Ron Whitney, Deputy Administrator  
Division of Building Safety  
1090 E. Watertower St., Ste. 150  
P. O. Box 83720  
Meridian, ID 83642  
Phone: (208) 332-7150  
Fax: (877) 810-2840

## IDAPA 07 – DIVISION OF BUILDING SAFETY

### 07.04.01 – RULES GOVERNING SAFETY INSPECTIONS – GENERAL

DOCKET NO. 07-0401-1701

### 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 67-2601A, Idaho Code.

**MEETING SCHEDULE:** A public meeting on the negotiated rulemaking will be held by the Idaho Division of Building Safety, and is scheduled as follows:

**Tuesday, May 2, 2017  
9:30 a.m. (MDT)**

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

**via VIDEO-TELECONFERENCE  
(same date and time as above)  
at the following Division of Building Safety locations:**

**Coeur d'Alene Regional Office  
1250 Ironwood Drive, Suite 220  
Coeur d'Alene, ID 83814**

**Pocatello Regional Office  
2055 Garrett Way, Bldg. 1, Suite 4  
Pocatello, ID 83201**

During the scheduled public meeting, additional negotiated rulemaking meetings may be established by the Division, if necessary. Adequate notice of the dates, locations, and manner of participation of any such additional meetings will be posted on the Division of Building Safety website <http://dbs.idaho.gov/>.

The meeting sites will be accessible to persons with disabilities, if needed. Requests for accommodation must be made not alter 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:

Interested members of the public who wish to participate must submit any written comments, questions, recommendations, or ideas to the Idaho Division of Building Safety, Industrial Safety Program on designated forms available at the Division of Building Safety website <http://dbs.idaho.gov/> and at the DBS offices in Meridian, Coeur d'Alene, and Pocatello, Idaho. Individuals may also attend the public meeting to be conducted on the above date during which the Division of Building Safety will allow oral comments or presentations to be made. You may contact the Division of Building Safety, Industrial Safety Program by contacting Gary Barnes at the Division of Building Safety. Mr. Barnes' email address is [Gary.Barnes@dbs.idaho.gov](mailto:Gary.Barnes@dbs.idaho.gov).

Upon conclusion of the negotiated rulemaking, any unresolved issues, all key issues considered, and conclusions reached during the negotiated rulemaking will be addressed in a written summary. The summary will be made available to interested persons who contact the agency or, if the agency chooses, the summary may be posted on the agency website.

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

Pursuant to Sections 67-2311 through 67-2318, the Administrator of the Division of Building Safety has authority to perform inspection of state buildings to determine the existence of any unsafe or hazardous conditions. Additionally, pursuant to Section 67-2601A, Idaho Code, the Administrator has authority to conduct safety inspections of buildings owned or maintained by political subdivisions of the state upon request, as well as promulgate rules adopting minimum safety standards and procedures for conducting inspections and safety training. The Division desires to amend provisions of the existing safety and health rules applicable to places of public employment as it determines necessary through the negotiated rulemaking process. Specifically, the Division seeks to amend outdated provisions and update the adopted safety standards applicable to the safety inspections it conducts on state-owned buildings, or those it may conduct for a political subdivision. The Division seeks the participation of the affected industry, owners and operators of public buildings or other interested parties, and the public at large in this rulemaking process to ensure that due consideration is given to the varying views about the adoption of safety rules for application in Idaho.

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING COPIES:** For assistance on technical questions concerning this negotiated rulemaking or to obtain a copy of the preliminary draft of the text of the proposed rule, if available, contact Ron Whitney, Deputy Administrator, Division of Building Safety at (208) 332-7150. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the DBS website at <http://dbs.idaho.gov/>.

Anyone may submit written comments regarding this negotiated rulemaking. All written comments, questions, recommendations, and ideas must be directed to the undersigned and must be submitted on the appropriate form to the Division of Building Safety by April 24, 2017. Forms may be submitted via email to [neg.rules@dbs.idaho.gov](mailto:neg.rules@dbs.idaho.gov).

DATED this 6th day of March, 2017.

Ron Whitney, Deputy Administrator  
Division of Building Safety  
1090 E. Watertower St., Ste. 150  
P. O. Box 83720  
Meridian, ID 83642  
Phone: (208) 332-7150  
Fax: (877) 810-2840

**IDAPA 07 – DIVISION OF BUILDING SAFETY**

**07.04.02 – SAFETY RULES FOR ELEVATORS, ESCALATORS, AND MOVING WALKS**

**DOCKET NO. 07-0402-1701**

**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 adopting or amending codes governing the operation, installation, alteration, maintenance, inspection and repair of conveyances in the state of Idaho. The Division of Building Safety desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Sections 67-2601A and 39-8605, Idaho Code.

**MEETING SCHEDULE:** A public meeting on the negotiated rulemaking will be held by the Idaho Division of Building Safety, and is scheduled as follows:

**Wednesday, May 3, 2017  
9:30 a.m. (MDT)**

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

**via VIDEO-TELECONFERENCE  
(same date and time as above)  
at the following Division of Building Safety locations:**

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

**Pocatello Regional Office  
2055 Garrett Way, Bldg. 1, Suite 4  
Pocatello, ID 83201**

During the scheduled public meeting, additional negotiated rulemaking meetings may be established by the Division, if necessary. Adequate notice of the dates, locations, and manner of participation of any such additional meetings will be posted on the Division of Building Safety website <http://dbs.idaho.gov/>.

The meeting sites will be accessible to persons with disabilities, if needed. Requests for accommodation must be made not alter 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:

Interested members of the public who wish to participate must submit any written comments, questions, recommendations, or ideas to the Division of Building Safety, Elevator Safety Program on designated forms available at the Division of Building Safety website <http://dbs.idaho.gov/> and at the DBS offices in Meridian, Coeur d’Alene, and Pocatello, Idaho. Individuals may also attend the public meeting to be conducted on the above date during which the Division will allow oral comments or presentations to be made. You may contact the Division of Building Safety, Elevator Safety Program by contacting Gary Barnes at the Division of Building Safety. Mr. Barnes’ email address is [Gary.Barnes@dbs.idaho.gov](mailto:Gary.Barnes@dbs.idaho.gov).

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. The summary will be made available to interested persons who contact the agency or, if the agency chooses, the summary may be posted on the agency website.

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

Pursuant to Section 39-8605, Idaho Code, the Administrator of the Idaho Division of Building Safety has the authority to promulgate rules adopting or amending codes governing the operation, installation, alteration, maintenance, inspection and repair of conveyances in the State of Idaho. In accordance with Section 39-8614, Idaho Code, these codes include the ANSI/ASME, Safety Code for Elevators and Escalators; ANSI/ASME, Guide for Inspection of Elevators, Escalators, and Moving Walks; ANSI/ASME, Safety Code for Existing Elevators and Escalators; ANSI/ASME, Guide for Emergency Personnel; ANSI/ASME, Standards for Elevators and Escalator Electrical Equipment; ANSI/ASME, Safety Requirement for Personnel Hoists and Employee Elevators for Construction and Demolition of Operations; ICCF/ANSI, American Notional Standard, Accessible and Usable Buildings and Facilities; ANSI/ASME, Safety Standard for Platform Lifts and Stairway Chairlifts; and ASME, Standard for the Qualification of Elevator Inspectors. The Division desires to amend provisions of these codes or adopt new editions of such codes as it determines necessary through the negotiated rulemaking process. The Division seeks the participation of the affected industry including owners and operators of elevators, interested parties, and the public at large in this rulemaking process to ensure that due consideration is given to the varying views about the adoption of elevator codes for application in Idaho.

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING COPIES:** For assistance on technical questions concerning this negotiated rulemaking or to obtain a copy of the preliminary draft of the text of the proposed rule, if available, contact Ron Whitney, Deputy Administrator, Division of Building Safety at (208) 332-7150. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the DBS website at <http://dbs.idaho.gov/>.

Anyone may submit written comments regarding this negotiated rulemaking. All written comments, questions, recommendations, and ideas must be directed to the undersigned and must be submitted on the appropriate form to the Division of Building Safety by April 24, 2017. Forms may be submitted via email to [neg.rules@dbs.idaho.gov](mailto:neg.rules@dbs.idaho.gov).

DATED this 6th day of March, 2017.

Ron Whitney, Deputy Administrator  
Division of Building Safety  
1090 E. Watertower St., Ste. 150  
P. O. Box 83720  
Meridian, ID 83642  
Phone: (208) 332-7150  
Fax: (877) 810-2840

## IDAPA 07 – DIVISION OF BUILDING SAFETY

### 07.09.01 – SAFETY AND HEALTH RULES FOR PLACES OF PUBLIC EMPLOYMENT

DOCKET NO. 07-0901-1701

### 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 67-2601A, Idaho Code.

**MEETING SCHEDULE:** A public meeting on the negotiated rulemaking will be held by the Idaho Division of Building Safety, and is scheduled as follows:

**Tuesday, May 2, 2017  
9:30 a.m. (MDT)**

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

**via VIDEO-TELECONFERENCE  
(same date and time as above)  
at the following Division of Building Safety locations:**

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

**Pocatello Regional Office  
2055 Garrett Way, Bldg. 1, Suite 4  
Pocatello, ID 83201**

During the scheduled public meeting, additional negotiated rulemaking meetings may be established by the Division, if necessary. Adequate notice of the dates, locations, and manner of participation of any such additional meetings will be posted on the Division of Building Safety website <http://dbs.idaho.gov/>.

The meeting sites will be accessible to persons with disabilities, if needed. Requests for accommodation must be made not alter 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:

Interested members of the public who wish to participate must submit any written comments, questions, recommendations, or ideas to the Idaho Division of Building Safety, Industrial Safety Program on designated forms available at the Division of Building Safety website <http://dbs.idaho.gov/> and at the DBS offices in Meridian, Coeur d’Alene, and Pocatello, Idaho. Individuals may also attend the public meeting to be conducted on the above date during which the Division of Building Safety will allow oral comments or presentations to be made. You may contact the Division of Building Safety, Industrial Safety Program by contacting Gary Barnes at the Division of Building Safety. Mr. Barnes’ email address is [Gary.Barnes@dbs.idaho.gov](mailto:Gary.Barnes@dbs.idaho.gov).

Upon conclusion of the negotiated rulemaking, any unresolved issues, all key issues considered, and conclusions reached during the negotiated rulemaking will be addressed in a written summary. The summary will be made available to interested persons who contact the agency or, if the agency chooses, the summary may be posted on the agency website.

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

Pursuant to Sections 67-2311 through 67-2318, Idaho Code, the Administrator of the Division of Building Safety has authority to perform inspection of state buildings to determine the existence of any unsafe or hazardous conditions. Additionally, pursuant to Section 67-2601A, Idaho Code, the Administrator has authority to conduct safety inspections of buildings owned or maintained by political subdivisions of the state upon request, as well as promulgate rules adopting minimum safety standards and procedures for conducting inspections and safety training. The Division desires to amend or repeal provisions of the existing safety and health rules applicable to places of public employment as it determines necessary through the negotiated rulemaking process. Specifically, the Division seeks to amend or eliminate outdated provisions and update the adopted safety standards applicable to the safety inspections it conducts on state-owned buildings, or those it may conduct for a political subdivision. The Division seeks the participation of the affected industry, owners and operators of public buildings or other interested parties, and the public at large in this rulemaking process to ensure that due consideration is given to the varying views about the adoption of safety rules for application in Idaho.

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING COPIES:** For assistance on technical questions concerning this negotiated rulemaking or to obtain a copy of the preliminary draft of the text of the proposed rule, if available, contact Ron Whitney, Deputy Administrator, Division of Building Safety at (208) 332-7150. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the DBS website at <http://dbs.idaho.gov/>.

Anyone may submit written comments regarding this negotiated rulemaking. All written comments, questions, recommendations, and ideas must be directed to the undersigned and must be submitted on the appropriate form to the Division of Building Safety by April 24, 2017. Forms may be submitted via email to [neg.rules@dbs.idaho.gov](mailto:neg.rules@dbs.idaho.gov).

DATED this 6th day of March, 2017.

Ron Whitney, Deputy Administrator  
Division of Building Safety  
1090 E. Watertower St., Ste. 150  
P. O. Box 83720  
Meridian, ID 83642  
Phone: (208) 332-7150  
Fax: (877) 810-2840

**IDAPA 08 – STATE BOARD OF AND STATE DEPARTMENT OF EDUCATION**

**08.02.02 – RULES GOVERNING UNIFORMITY**

**DOCKET NO. 08-0202-1701**

**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 33-1254 and 33-1258, Idaho Code.

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

<b>Tuesday, April 11, 2017 6:00 pm - 8:00 pm (local)</b>	<b>Wednesday, April 12, 2017 6:00 pm - 8:00 pm (local)</b>	<b>Thursday, April 13, 2017 6:00 pm - 8:00 pm (local)</b>
<b>CSI Herrett Center for the Arts &amp; Science Rick Allen Room 315 Falls Ave., Twin Falls, ID</b>	<b>Shoshone Bannock Hotel Chief Racehorse A Room I-15 Exit 80 Simplot Road Fort Hall, ID</b>	<b>Hilton Garden Inn Board Room 700 Lindsay Boulevard Idaho Falls, ID</b>
<b>Tuesday, April 18, 2017 6:00 pm - 8:00 pm (local)</b>	<b>Wednesday, April 19, 2017 6:00 pm - 8:00 pm (local)</b>	<b>Thursday, April 20, 2017 6:00 pm - 8:00 pm (local)</b>
<b>Red Lion Downtowner Selway Meeting Room 1800 West Fairview Ave. Boise, ID</b>	<b>Lewis-Clark State College Clearwater River Meeting Room 500 8th Ave., Lewiston, ID</b>	<b>Coeur d’Alene Resort Bay One Meeting Room 115 South Second St. Coeur d’Alene, ID</b>

The meeting sites 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 negotiated rulemaking meetings and participate in the negotiation process; provide oral and/or written recommendations the negotiated rulemaking meetings; and/or, submit written recommendations and comments to the following, on or before April 26, 2017.

Mail to:  
State Department of Education  
Attn: Lisa Colón Durham  
P.O. Box 83720  
Boise, ID 83720-0027

Hand Deliver to:  
Len B. Jordan Building  
650 West State Street  
Second Floor  
Boise, ID 83720

Online Submission Form: <http://sde.idaho.gov/topics/admin-rules>  
Fax: (208) 334-2228

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

**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 principal issues involved:

The Professional Standards Commission (PSC) follows a strategic plan of annually reviewing twenty percent (20%) of the Idaho Standards for Initial Certification of Professional School Personnel, the incorporated by reference document, as well as the certification and endorsement language within IDAPA rule that corresponds to the preparation standards. The following preparation standards were reviewed by committees of content experts: administrator, audiology, bilingual/English as a new language (ENL), computer science, core teaching standards, Career Technical Education (CTE), engineering, speech-language pathologist (SLP), and world languages. The suggested changes will be recommended by the PSC for approval by the State Board of Education.

Revisions to the Code of Ethics will be proposed to include language regarding donations solicited by classroom teachers for classroom use. There may also be revisions to background checks as a result of possible statute change to 33-130, Idaho Code. Additionally, revisions may be made to certificate reinstatement requirements, Mathematical Thinking for Instruction (MTI) and the Idaho Comprehensive Literacy Course (ICLC) renewal requirements, and MTI and ICLC Interim certificate requirements.

**CONTACT INFORMATION, WEB ADDRESS, ASSISTANCE ON TECHNICAL QUESTIONS, AND SUBMISSION OF WRITTEN COMMENTS:** For assistance on technical questions concerning this negotiated rulemaking, contact Lisa Colón Durham, Director of Certification and Professional Standards, at (208) 332-6886 or [lcolondurham@sde.idaho.gov](mailto:lcolondurham@sde.idaho.gov). Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the Department of Education web site at the following web address: <http://sde.idaho.gov/topics/admin-rules>.

Anyone may submit written comments regarding this negotiated rulemaking. All written comments must be delivered on or before April 26, 2017.

DATED this 3rd Day of March, 2017.

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

**IDAPA 08 – STATE BOARD OF AND STATE DEPARTMENT OF EDUCATION**

**08.02.02 – RULES GOVERNING UNIFORMITY**

**DOCKET NO. 08-0202-1702**

**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 33-105, 33-1006, 33-1506, 33-1508, and 33-1511, Idaho Code.

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

<b>Tuesday, April 11, 2017 6:00 pm - 8:00 pm (local)</b>	<b>Wednesday, April 12, 2017 6:00 pm - 8:00 pm (local)</b>	<b>Thursday, April 13, 2017 6:00 pm - 8:00 pm (local)</b>
<b>CSI Herrett Center for the Arts &amp; Science Rick Allen Room 315 Falls Ave., Twin Falls, ID</b>	<b>Shoshone Bannock Hotel Chief Racehorse A Room I-15 Exit 80 Simplot Road Fort Hall, ID</b>	<b>Hilton Garden Inn Board Room 700 Lindsay Boulevard Idaho Falls, ID</b>
<b>Tuesday, April 18, 2017 6:00 pm - 8:00 pm (local)</b>	<b>Wednesday, April 19, 2017 6:00 pm - 8:00 pm (local)</b>	<b>Thursday, April 20, 2017 6:00 pm - 8:00 pm (local)</b>
<b>Red Lion Downtowner Selway Meeting Room 1800 West Fairview Ave. Boise, ID</b>	<b>Lewis-Clark State College Clearwater River Meeting Room 500 8th Ave., Lewiston, ID</b>	<b>Coeur d’Alene Resort Bay One Meeting Room 115 South Second St. Coeur d’Alene, ID</b>

The meeting sites 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 negotiated rulemaking meetings and participate in the negotiation process; provide oral and/or written recommendations the negotiated rulemaking meetings; and/or, submit written recommendations and comments to the following, on or before April 26, 2017.

Mail to:  
State Department of Education  
Attn: Doug Scott  
P.O. Box 83720  
Boise, ID 83720-0027

Hand Deliver to:  
Len B. Jordan Building  
650 West State Street  
Second Floor  
Boise, ID 83720

Online Submission Form: <http://sde.idaho.gov/topics/admin-rules>  
Fax: (208) 334-2228

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

**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 principal issues involved:

The Standards for Idaho School Buses and Operations (SISBO), the incorporated by reference document, was last adopted by the State Board of Education on June 23, 2011. Since then, there have been updates to transportation specifications and procedures at the national and state level that need to be reflected in the SISBO manual. Other changes may include reformatting the manual and increasing clarification to manufacturing or operational procedures, among other topics that will be discussed during negotiated rulemaking. This rule will reflect a new approval date of the Standards for Idaho School Buses and Operations by the State Board of Education.

**CONTACT INFORMATION, WEB ADDRESS, ASSISTANCE ON TECHNICAL QUESTIONS, AND SUBMISSION OF WRITTEN COMMENTS:** For assistance on technical questions concerning this negotiated rulemaking, contact Doug Scott, Director of Student Transportation, at (208) 332-6856 or [ddscott@sde.idaho.gov](mailto:ddscott@sde.idaho.gov). Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the Department of Education web site at the following web address: <http://sde.idaho.gov/topics/admin-rules>.

Anyone may submit written comments regarding this negotiated rulemaking. All written comments must be delivered on or before April 26, 2017.

DATED this 3rd day of March, 2017.

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

**IDAPA 08 – STATE BOARD OF AND STATE DEPARTMENT OF EDUCATION**

**08.02.03 – RULES GOVERNING THOROUGHNESS**

**DOCKET NO. 08-0203-1702**

**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 33-105, 33-1612, and 33-1617, Idaho Code.

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

<b>Tuesday, April 11, 2017 6:00 pm - 8:00 pm (local)</b>	<b>Wednesday, April 12, 2017 6:00 pm - 8:00 pm (local)</b>	<b>Thursday, April 13, 2017 6:00 pm - 8:00 pm (local)</b>
<b>CSI Herrett Center for the Arts &amp; Science Rick Allen Room 315 Falls Ave., Twin Falls, ID</b>	<b>Shoshone Bannock Hotel Chief Racehorse A Room I-15 Exit 80 Simplot Road Fort Hall, ID</b>	<b>Hilton Garden Inn Board Room 700 Lindsay Boulevard Idaho Falls, ID</b>
<b>Tuesday, April 18, 2017 6:00 pm - 8:00 pm (local)</b>	<b>Wednesday, April 19, 2017 6:00 pm - 8:00 pm (local)</b>	<b>Thursday, April 20, 2017 6:00 pm - 8:00 pm (local)</b>
<b>Red Lion Downtowner Selway Meeting Room 1800 West Fairview Ave. Boise, ID</b>	<b>Lewis-Clark State College Clearwater River Meeting Room 500 8th Ave., Lewiston, ID</b>	<b>Coeur d’Alene Resort Bay One Meeting Room 115 South Second St. Coeur d’Alene, ID</b>

The meeting sites 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 negotiated rulemaking meetings and participate in the negotiation process; provide oral and/or written recommendations the negotiated rulemaking meetings; and/or, submit written recommendations and comments to the following, on or before April 26, 2017.

Mail to:  
State Department of Education  
Attn: Karlynn Laraway  
P.O. Box 83720  
Boise, ID 83720-0027

Hand Deliver to:  
Len B. Jordan Building  
650 West State Street  
Second Floor  
Boise, ID 83720

Online Submission Form: <http://sde.idaho.gov/topics/admin-rules>  
Fax: (208) 334-2228

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

**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 principal issues involved:

This rule amends College Entrance Exam requirements to allow students who took the Compass exam before the final November 2016 test administration to use the Compass to meet the graduation requirement. This rule will also add language to update the college entrance exam graduation requirements for students on an Individualized Learning Plan (IEP). Additionally, rule language will be added to give students another option if they were unable to participate in the ACT or the statewide test day administration of the SAT.

**CONTACT INFORMATION, WEB ADDRESS, ASSISTANCE ON TECHNICAL QUESTIONS, AND SUBMISSION OF WRITTEN COMMENTS:** For assistance on technical questions concerning this negotiated rulemaking, contact Karlynn Laraway, Director of Assessment, at (208) 332-6976 or [klaraway@sde.idaho.gov](mailto:klaraway@sde.idaho.gov). Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the Department of Education web site at the following web address: <http://sde.idaho.gov/topics/admin-rules>.

Anyone may submit written comments regarding this negotiated rulemaking. All written comments must be delivered on or before April 26, 2017.

DATED this 3rd Day of March, 2017.

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

**IDAPA 08 – STATE BOARD OF AND STATE DEPARTMENT OF EDUCATION**

**08.02.03 – RULES GOVERNING THOROUGHNESS**

**DOCKET NO. 08-0203-1703**

**NOTICE OF INTENT TO PROMULGATE RULES – NEGOTIATED RULEMAKING**

**AUTHORITY:** In compliance with Sections 67-5220(1) and 67-5220(2), Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Sections 33-105 and 33-2002, Idaho Code.

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

<b>Tuesday, April 11, 2017 6:00 pm - 8:00 pm (local)</b>	<b>Wednesday, April 12, 2017 6:00 pm - 8:00 pm (local)</b>	<b>Thursday, April 13, 2017 6:00 pm - 8:00 pm (local)</b>
<b>CSI Herrett Center for the Arts &amp; Science Rick Allen Room 315 Falls Ave., Twin Falls, ID</b>	<b>Shoshone Bannock Hotel Chief Racehorse A Room I-15 Exit 80 Simplot Road Fort Hall, ID</b>	<b>Hilton Garden Inn Board Room 700 Lindsay Boulevard Idaho Falls, ID</b>
<b>Tuesday, April 18, 2017 6:00 pm - 8:00 pm (local)</b>	<b>Wednesday, April 19, 2017 6:00 pm - 8:00 pm (local)</b>	<b>Thursday, April 20, 2017 6:00 pm - 8:00 pm (local)</b>
<b>Red Lion Downtowner Selway Meeting Room 1800 West Fairview Ave. Boise, ID</b>	<b>Lewis-Clark State College Clearwater River Meeting Room 500 8th Ave., Lewiston, ID</b>	<b>Coeur d’Alene Resort Bay One Meeting Room 115 South Second St. Coeur d’Alene, ID</b>

The meeting sites 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 negotiated rulemaking meetings and participate in the negotiation process; provide oral and/or written recommendations the negotiated rulemaking meetings; and/or, submit written recommendations and comments to the following, on or before April 26, 2017.

Mail to:  
State Department of Education  
Attn: Dr. Charlie Silva  
P.O. Box 83720  
Boise, ID 83720-0027

Hand Deliver to:  
Len B. Jordan Building  
650 West State Street  
Second Floor  
Boise, ID 83720

Online Submission Form: <http://sde.idaho.gov/topics/admin-rules>  
Fax: (208) 334-2228

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

**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 principal issues involved:

The Idaho Extended Content Standards, which are the standards aligned with the alternate assessment, were adopted in 2008 and are currently not aligned with the Idaho Content standards adopted in 2010 and updated in 2017. This proposed rule will replace the English Language Arts (ELA) and Math extended standards with the Idaho Content Standards Core Content Connectors. To ensure these standards remain the most effective and up-to-date and remain in alignment to Idaho Content Standards as required by the Every Student Succeeds Act, the State Department of Education will convene a committee of Idaho Educators to review and make changes for revisions to the Core Content Connectors – following updates to, or in conjunction with, Idaho Content Standards in ELA and Math.

This rule will replace the Extended Content Standards with the Idaho Content Standards Core Content Connectors. Core Content Connectors identify the most basic grade-level, core academic content in ELA and Mathematics found in the Idaho Content Standards.

**CONTACT INFORMATION, WEB ADDRESS, ASSISTANCE ON TECHNICAL QUESTIONS, AND SUBMISSION OF WRITTEN COMMENTS:** For assistance on technical questions concerning this negotiated rulemaking, contact Dr. Charlie Silva, Director of Special Education, at (208) 332-6806 or [csilva@sde.idaho.gov](mailto:csilva@sde.idaho.gov). Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the Department of Education web site at the following web address: <http://sde.idaho.gov/topics/admin-rules>.

Anyone may submit written comments regarding this negotiated rulemaking. All written comments must be delivered on or before April 26, 2017.

DATED this 3rd Day of March, 2017.

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

**IDAPA 08 – STATE BOARD OF AND STATE DEPARTMENT OF EDUCATION**

**08.02.03 – RULES GOVERNING THOROUGHNESS**

**DOCKET NO. 08-0203-1704**

**NOTICE OF INTENT TO PROMULGATE RULES – NEGOTIATED RULEMAKING**

**AUTHORITY:** In compliance with Sections 67-5220(1) and 67-5220(2), Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Sections 33-105, 33-1612, and 33-2002, Idaho Code.

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

<b>Tuesday, April 11, 2017 6:00 pm - 8:00 pm (local)</b>	<b>Wednesday, April 12, 2017 6:00 pm - 8:00 pm (local)</b>	<b>Thursday, April 13, 2017 6:00 pm - 8:00 pm (local)</b>
<b>CSI Herrett Center for the Arts &amp; Science Rick Allen Room 315 Falls Ave., Twin Falls, ID</b>	<b>Shoshone Bannock Hotel Chief Racehorse A Room I-15 Exit 80 Simplot Road Fort Hall, ID</b>	<b>Hilton Garden Inn Board Room 700 Lindsay Boulevard Idaho Falls, ID</b>
<b>Tuesday, April 18, 2017 6:00 pm - 8:00 pm (local)</b>	<b>Wednesday, April 19, 2017 6:00 pm - 8:00 pm (local)</b>	<b>Thursday, April 20, 2017 6:00 pm - 8:00 pm (local)</b>
<b>Red Lion Downtowner Selway Meeting Room 1800 West Fairview Ave. Boise, ID</b>	<b>Lewis-Clark State College Clearwater River Meeting Room 500 8th Ave., Lewiston, ID</b>	<b>Coeur d’Alene Resort Bay One Meeting Room 115 South Second St. Coeur d’Alene, ID</b>

The meeting sites 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 negotiated rulemaking meetings and participate in the negotiation process; provide oral and/or written recommendations the negotiated rulemaking meetings; and/or, submit written recommendations and comments to the following, on or before April 26, 2017.

Mail to:  
State Department of Education  
Attn: Dr. Charlie Silva  
P.O. Box 83720  
Boise, ID 83720-0027

Hand Deliver to:  
Len B. Jordan Building  
650 West State Street  
Second Floor  
Boise, ID 83720

Online Submission Form: <http://sde.idaho.gov/topics/admin-rules>  
Fax: (208) 334-2228

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

**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 principal issues involved:

This change is an attempt to create a culturally sensitive definition that investigates the meaning of language, access, comprehension, and linguistic information when considering hearing status and its impact as it is a critical part of the discussion when teams make decisions. The changes will replace outdated terminology and clarify the components of this category, making a less subjective and more objective definition. The two separate and current definitions (hearing impaired and deafness) will become one, “Deaf or Hard of Hearing.” In this new category, the definition will include the language, access, comprehension and/or use of linguistic information needed for teams to consider when determining the applicability of this category for a student. This change will be made in the Special Education Manual to be approved by the State Board of Education.

**CONTACT INFORMATION, WEB ADDRESS, ASSISTANCE ON TECHNICAL QUESTIONS, AND SUBMISSION OF WRITTEN COMMENTS:** For assistance on technical questions concerning this negotiated rulemaking, contact Dr. Charlie Silva, Director of Special Education, at (208) 332-6806 or [csilva@sde.idaho.gov](mailto:csilva@sde.idaho.gov). Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the Department of Education web site at the following web address: <http://sde.idaho.gov/topics/admin-rules>.

Anyone may submit written comments regarding this negotiated rulemaking. All written comments must be delivered on or before April 26, 2017.

DATED this 3rd Day of March, 2017.

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

**IDAPA 08 – STATE BOARD OF AND STATE DEPARTMENT OF EDUCATION**

**08.02.03 – RULES GOVERNING THOROUGHNESS**

**DOCKET NO. 08-0203-1705**

**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 33-105 and 33-1612, Idaho Code.

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

<b>Tuesday, April 11, 2017 6:00 pm - 8:00 pm (local)</b>	<b>Wednesday, April 12, 2017 6:00 pm - 8:00 pm (local)</b>	<b>Thursday, April 13, 2017 6:00 pm - 8:00 pm (local)</b>
<b>CSI Herrett Center for the Arts &amp; Science Rick Allen Room 315 Falls Ave., Twin Falls, ID</b>	<b>Shoshone Bannock Hotel Chief Racehorse A Room I-15 Exit 80 Simplot Road Fort Hall, ID</b>	<b>Hilton Garden Inn Board Room 700 Lindsay Boulevard Idaho Falls, ID</b>
<b>Tuesday, April 18, 2017 6:00 pm - 8:00 pm (local)</b>	<b>Wednesday, April 19, 2017 6:00 pm - 8:00 pm (local)</b>	<b>Thursday, April 20, 2017 6:00 pm - 8:00 pm (local)</b>
<b>Red Lion Downtowner Selway Meeting Room 1800 West Fairview Ave. Boise, ID</b>	<b>Lewis-Clark State College Clearwater River Meeting Room 500 8th Ave., Lewiston, ID</b>	<b>Coeur d’Alene Resort Bay One Meeting Room 115 South Second St. Coeur d’Alene, ID</b>

The meeting sites 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 negotiated rulemaking meetings and participate in the negotiation process; provide oral and/or written recommendations the negotiated rulemaking meetings; and/or, submit written recommendations and comments to the following, on or before April 26, 2017.

Mail to:  
State Department of Education  
Attn: Scott Cook  
P.O. Box 83720  
Boise, ID 83720-0027

Hand Deliver to:  
Len B. Jordan Building  
650 West State Street  
Second Floor  
Boise, ID 83720

Online Submission Form: <http://sde.idaho.gov/topics/admin-rules>  
Fax: (208) 334-2228

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

**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 principal issues involved:

Idaho Content Standards describe what Idaho students should know and be able to do at each grade level in certain content areas. These proposed rule changes reflect the standard practice and expectation that the Idaho State Department of Education will convene a review committee of Idaho educators to review and make revisions when needed to the Idaho Content Standards on a rotating basis every six (6) years. This helps ensure that these standards remain the most effective and up to date available because they form common learning expectations. Instruction meeting these expectations as a minimum is the responsibility of each local public school district. The changes proposed in each of the content areas up for review reflect the work of the review committees with input from Idaho stakeholders.

Idaho Content Standards up for review include Science, Driver Education, and Information and Communication Technology. The incorporated by reference documents will be updated and will reflect the new approval date by the State Board of Education.

In 2017, the Idaho Legislature approved new science standards as temporary by concurrent resolution. The State Department of Education is going to use the new approved standards as a baseline for permanent science standards to be taken to the legislature in 2018. This will allow the standards to be opened up for negotiated rulemaking for further public comment to amend the rejections by the legislature.

**CONTACT INFORMATION, WEB ADDRESS, ASSISTANCE ON TECHNICAL QUESTIONS, AND SUBMISSION OF WRITTEN COMMENTS:** For assistance on technical questions concerning this negotiated rulemaking, contact Scott Cook, Director of Academic Services, Support and Professional Development, at (208) 332-6927 or [scook@sde.idaho.gov](mailto:scook@sde.idaho.gov). Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the Department of Education web site at the following web address: <http://sde.idaho.gov/topics/admin-rules>.

Anyone may submit written comments regarding this negotiated rulemaking. All written comments must be delivered on or before April 26, 2017.

DATED this 3rd day of March, 2017.

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

**IDAPA 55 – DIVISION OF CAREER TECHNICAL EDUCATION**

**55.01.03 – RULES OF CAREER TECHNICAL SCHOOLS**

**DOCKET NO. 55-0103-1701**

**NOTICE OF INTENT TO PROMULGATE RULES – NEGOTIATED RULEMAKING**

**AUTHORITY:** In compliance with Sections 67-5220(1) and 67-5220(2), Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Sections 33-2205, 33-2211, and 33-1002G, Idaho Code.

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

**Thursday, April 20 - 10:00 a.m. to 5:00 p.m.  
and  
Friday, April 21, 2017 - 9:00 a.m. to 3:00 p.m.**

**Kootenai Technical Education Campus (KTEC)  
6838 West Lancaster Road  
Rathdrum, ID**

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:

Persons wishing to attend the meeting should arrive at the KTEC building on April 20. The negotiations will be held over the two-day period. Attendees are encouraged to participate for the duration of the two-day meeting, as elements of the rule will be discussed both days. Individuals who cannot attend the meeting may provide written comments. All written comments need to be received on or before April 30, 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. The summary will be made available to interested persons who contact the agency or, if the agency chooses, the summary may be posted 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 principal issues involved:

The purpose of this negotiated rulemaking is to amend IDAPA 55.01.03, which are the rules governing Career Technical Schools. The proposed changes would more clearly define the approval criteria for a career technical school, the career technical component criteria, the calculation and distribution of funding, the oversight and accountability of the schools, and to make technical changes.

**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 Amy Lorenzo at (208) 429-5535 or [amy.lorenzo@cte.idaho.gov](mailto:amy.lorenzo@cte.idaho.gov). Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the Division of Career Technical Education's web site at the following web address: [www.cte.idaho.gov](http://www.cte.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 April 30, 2017.

DATED this 28th day of February, 2017.

Amy Lorenzo  
Planning & Policy Coordinator  
Idaho Division of Career Technical Education

650 W State St. Suite 324  
Boise, ID 83720  
(208) 429-5535

## IDAPA 55 – DIVISION OF CAREER TECHNICAL EDUCATION

### 55.01.04 – RULES GOVERNING IDAHO QUALITY PROGRAM STANDARDS INCENTIVE GRANTS AND AGRICULTURAL EDUCATION PROGRAM START-UP GRANTS

DOCKET NO. 55-0104-1701

#### 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 33-1629, Idaho Code.

**METHOD OF PARTICIPATION:** Interested persons wishing to participate in the negotiated rulemaking must respond to this notice by contacting the undersigned either in writing, by email, or by calling the phone number listed below. To participate, requests for a meeting must be received by April 30th, 2017. All other comments must be received by June 20th, 2017.

Should a reasonable number of persons respond to this notice, negotiated meetings will be scheduled and all scheduled meetings shall be posted and made accessible on the agency website at the address listed below.

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

Upon the conclusion of the negotiated rulemaking, any unresolved issues, all key issues considered, and conclusions reached during the negotiated rulemaking will be addressed in a written summary. The summary will be made available to interested persons who contact the agency or, if the agency chooses, the summary may be posted on the agency website.

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

The purpose of this negotiated rulemaking is to amend IDAPA 55.01.04, which outlines the procedures governing the calculation and distribution of funds under the Idaho Quality Program Standards Incentive Grant program. The grant program rewards teachers of high quality secondary agriculture and natural resources career technical education programs. The proposed changes are intended to make the award process more equitable and to encourage more qualified teachers to apply for and receive the grant.

**ASSISTANCE ON TECHNICAL QUESTIONS, MEETING ACCOMMODATIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING DRAFT COPIES:** For assistance on technical questions concerning this negotiated rulemaking, requests for special meeting accommodations or accessibility, or to obtain a preliminary draft copy of the rule text (if available), contact Amy Lorenzo at (208) 429-5535 or [amy.lorenzo@cte.idaho.gov](mailto:amy.lorenzo@cte.idaho.gov).

Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the Division of Career Technical Education's web site at the following web address: <https://cte.idaho.gov/>.

DATED this 28th day of February, 2017

Amy Lorenzo, Planning & Policy Coordinator  
Idaho Division of Career Technical Education  
650 W. State St. Suite 324  
Boise, ID 83720  
(208) 429-5535

## IDAPA 58 – DEPARTMENT OF ENVIRONMENTAL QUALITY

### JIM FORD CREEK WATERSHED TOTAL MAXIMUM DAILY LOAD (TMDL): 2017 TEMPERATURE ADDENDUM AND 2016 FIVE-YEAR REVIEW (HUC ID 17060306)

DOCKET NO. 58-0000-1702

#### NOTICE OF FINAL DECISION

**AUTHORITY:** In compliance with Section 39-3611, Idaho Code, notice is hereby given that this agency has issued a final decision on the Jim Ford Creek Watershed Total Maximum Daily Load (TMDL): 2017 Temperature Addendum and 2016 Five-year Review.

**DESCRIPTIVE SUMMARY:** The Department of Environmental Quality (DEQ) hereby gives notice of the final decision on the Jim Ford Creek Watershed TMDL: 2017 Temperature Addendum and 2016 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 Jim Ford Creek Watershed TMDL: 2017 Temperature Addendum and 2016 Five-year Review (Hydrologic Unit Code 17060306) establishes nine (9) temperature TMDL revisions on water quality impaired stream reaches (assessment units) to replace existing approved temperature TMDLs. DEQ has submitted this TMDL revision to the U.S. Environmental Protection Agency for approval under the Clean Water Act. DEQ has also completed a companion five-year review document for the Jim Ford Creek Watershed under separate cover.

**AVAILABILITY OF THE TMDL:** Electronic copies of the TMDL and Five-year Review can be obtained at <http://www.deq.idaho.gov/water-quality/surface-water/tmdls/table-of-sbas-tmdls/clearwater-river-subbasin/> or by contacting Mark Shumar, TMDL Program Coordinator, (208) 373-0132, [mark.shumar@deq.idaho.gov](mailto:mark.shumar@deq.idaho.gov).

Dated this 5th day of April, 2017.

Paula J. Wilson, Hearing Coordinator  
Department of Environmental Quality  
1410 N. Hilton Street  
Boise, Idaho 83706-1255  
Phone: (208) 373-0418  
Fax: (208) 373-0481  
[paula.wilson@deq.idaho.gov](mailto:paula.wilson@deq.idaho.gov)

**IDAPA 58 – DEPARTMENT OF ENVIRONMENTAL QUALITY**

**58.01.01 – RULES FOR THE CONTROL OF AIR POLLUTION IN IDAHO**

**DOCKET NO. 58-0101-1701**

**NOTICE OF NEGOTIATED RULEMAKING**

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

**METHOD OF PARTICIPATION:** Those interested in participating in the negotiated rulemaking process are encouraged to attend the meeting at one of the following locations. The public may participate by telephone and web conferencing at any of the meeting locations or with individual connections. Individuals interested in participating by telephone and web conferencing should contact the undersigned by the date provided in the table below. For those who cannot participate by attending the meeting, information for submitting written comments is provided at the end of this notice.

**MEETING SCHEDULE:** The negotiated rulemaking meeting will be held as follows. Additional meetings will be scheduled if necessary.

<b>*ORIGINATING LOCATION – LIVE MEETING*</b> <b>DEQ State Office Conference Center 1410 N. Hilton, Boise, Idaho</b>  <b>Tuesday, May 2nd, 2017 - 9:00 am to 12:30 pm (MDT)</b>	
<b>*TELEPHONE AND WEB CONFERENCE LOCATIONS*</b>	
<b>DEQ Coeur d’Alene Regional Office 2110 Ironwood Parkway Coeur d’Alene, Idaho</b>	<b>DEQ Lewiston Regional Office 1118 F Street Lewiston, Idaho</b>
<b>DEQ Twin Falls Regional Office 650 Addison Avenue West, Suite 110 Twin Falls, Idaho</b>	<b>DEQ Pocatello Regional Office 444 Hospital Way #300 Pocatello, Idaho</b>

**DEQ Idaho Falls Regional Office  
900 N. Skyline, Suite B  
Idaho Falls, Idaho**

**Contact the undersigned by *April 25, 2017* to make arrangements for participation by telephone and web conferencing**

The meeting locations will be accessible to persons with disabilities, and language translators will be made available upon request. Requests for these accommodations must be made no later than five (5) days prior to the meeting date. For arrangements, contact the undersigned.

**PRELIMINARY DRAFT RULE:** By April 12, 2017, the preliminary draft rule can be obtained at [www.deq.idaho.gov/58-0101-1701](http://www.deq.idaho.gov/58-0101-1701) or by contacting Paula Wilson at [paula.wilson@deq.idaho.gov](mailto:Paula.Wilson@deq.idaho.gov), (208) 373-0418.

**DESCRIPTIVE SUMMARY:** This rulemaking has been initiated to provide DEQ with the authority to develop a Clean Air Act Section 111(d) state plan to implement the recently updated Emission Guidelines and Compliance Times for Municipal Solid Waste (MSW) Landfills (81 Fed. Reg. 59276, August 29, 2016). Idaho currently implements federal regulations for MSW landfills at IDAPA 58.01.01., Sections 859-860. EPA recently updated the federal regulations governing these facilities. In order for DEQ to continue to implement the program, DEQ must update its existing rules and develop a state plan for Idaho. If DEQ fails to update its rules and develop a state plan, EPA will promulgate a federal plan for Idaho. In this proposed rulemaking, Idaho plans to update and streamline IDAPA 58.01.01., Sections 859-860, which were promulgated in 2000 to provide DEQ the authority to implement the state plan at that time.

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

Upon conclusion of negotiations, DEQ intends to publish a proposed rule for public comment in the summer of 2017 and then present the final proposal to the Idaho Board of Environmental Quality (Board) in the fall of 2017 for adoption of a temporary/pending rule. If adopted by the Board, the rule will be reviewed by the 2018 Idaho Legislature. Pursuant to Section 67-5226(1)(b), Idaho Code, the Governor has found that temporary adoption of the rule is appropriate in order to comply with deadlines in federal programs and, therefore, avoid promulgation of a federal plan for Idaho.

**ASSISTANCE ON TECHNICAL QUESTIONS AND SUBMISSION OF WRITTEN COMMENTS:** For assistance on questions concerning this rulemaking, contact Carl Brown at [carl.brown@deq.idaho.gov](mailto:carl.brown@deq.idaho.gov) or (208) 373-0206.

For those who cannot participate by attending the scheduled meeting, written comments may be submitted by mail, fax or email at the address below. Written comments on the preliminary draft rule must be received by May 12, 2017. For information regarding submission of written comments on subsequent drafts of the negotiated rule, to receive copies of submitted written comments, and to receive the most recent version of the draft negotiated rule, contact the undersigned.

Dated this 5th day of April, 2017

Paula J. Wilson, Hearing Coordinator  
Department of Environmental Quality  
1410 N. Hilton Street  
Boise, Idaho 83706-1255  
Phone: (208) 373-0418  
Fax: (208) 373-0481  
E-mail: [paula.wilson@deq.idaho.gov](mailto:paula.wilson@deq.idaho.gov)

**IDAPA 58 – DEPARTMENT OF ENVIRONMENTAL QUALITY**

**58.01.02 – WATER QUALITY STANDARDS**

**DOCKET NO. 58-0102-1701**

**NOTICE OF NEGOTIATED RULEMAKING**

**AUTHORITY:** In compliance with Section 67-5220, Idaho Code, and IDAPA 58.01.23, Rules of Administrative Procedure Before the Board of Environmental Quality, Sections 810 through 815, notice is hereby given that this agency intends to promulgate a rule and desires public participation before publishing a proposed rule. This rulemaking action is authorized by Sections 39-105, 39-107, and 39-3601 et seq., Idaho Code.

**METHOD OF PARTICIPATION:** Those interested in participating in the negotiated rulemaking process are encouraged to attend the meeting at one of the following locations. The public may participate by telephone and web conferencing at any of the meeting locations or with individual connections. Individuals interested in participating by telephone and web conferencing should contact the undersigned by the date provided in the table below. For those who cannot participate by attending the meeting, information for submitting written comments is provided at the end of this notice.

**MEETING SCHEDULE:** The negotiated rulemaking meetings will be held as follows. Additional meetings will be scheduled if necessary.

<b>*ORIGINATING LOCATION – LIVE MEETING*</b> <b>DEQ State Office</b> <b>Conference Center</b> <b>1410 N. Hilton, Boise, Idaho</b>  <b>Thursday, April 27th, 2017 - 9:00 am to 12:30 pm (MDT)</b>	
<b>*TELEPHONE AND WEB CONFERENCE LOCATIONS*</b>	
<b>DEQ Lewiston Regional Office</b> <b>1118 F Street</b> <b>Lewiston, Idaho</b>	<b>DEQ Pocatello Regional Office</b> <b>444 Hospital Way #300</b> <b>Pocatello, Idaho</b>

**Contact the undersigned by *April 20, 2017* to make arrangements for participation by telephone and web conferencing**

The meeting locations will be accessible to persons with disabilities, and language translators will be made available upon request. Requests for these accommodations must be made no later than five (5) days prior to the meeting date. For arrangements, contact the undersigned.

**PRELIMINARY DRAFT RULE:** By April 5, 2017, the preliminary draft rule can be obtained at [www.deq.idaho.gov/58-0102-1701](http://www.deq.idaho.gov/58-0102-1701) or by contacting Paula Wilson at [paula.wilson@deq.idaho.gov](mailto:paula.wilson@deq.idaho.gov), (208) 373-0418.

**DESCRIPTIVE SUMMARY:** This negotiated rulemaking has been initiated to update the selenium criteria for aquatic life use. This proposed update is identified as a Reasonable and Prudent Alternative (RPA) in the National Oceanic and Atmospheric Administration’s (NOAA) biological opinion (BiOp) on Idaho’s criteria for toxic substances to support aquatic life. This BiOp concluded that the current selenium criterion was likely to adversely affect endangered species and would result in adverse modification of critical habitat. The NOAA recommendation is to use EPA’s 2016 304(a) selenium criterion based on fish-tissue concentrations. NOAA has called for state adoption and EPA approval or EPA promulgation of this criterion by May 2018. In order to avoid EPA promulgating a federal selenium standard for Idaho, DEQ proposes to undertake a negotiated rulemaking for a revised selenium aquatic life criterion in Idaho’s water quality standards. DEQ’s 2014 triennial review identified revision of the aquatic life criteria for selenium as a medium priority.

Although selenium may cause acute toxicity at high concentrations, the most detrimental effect on aquatic organisms is due to its bioaccumulative properties. Aquatic organisms exposed to selenium accumulate it primarily through their diets and not directly through water. In fish, selenium toxicity occurs primarily through transfer to the eggs, reducing reproductive success and survival. Current criteria derived from water column concentrations do not take into account the effects of selenium bioaccumulation in aquatic systems and are generally under-protective of aquatic life. The proposed criterion is derived from the allowable concentration of selenium in fish-tissue found to be protective of aquatic life. The fish-tissue concentration, in conjunction with site-specific bioaccumulation factors, can be used to determine the allowable concentration of selenium in ambient water. Aquatic communities are expected to be protected by this chronic criterion from any potential acute effects of selenium. By adopting the fish-tissue derived criterion, DEQ will ensure that its criterion neither unnecessarily burdens dischargers nor increases risk to aquatic life.

A site specific criterion (SSC) petition was filed with DEQ by J. R. Simplot Company for Sage and Crow Creeks. Due to EPA's 2016 304(a) recommended selenium criterion, a revision of this SSC petition is expected later this year.

The text of the rule will be drafted by DEQ in conjunction with a negotiating committee made up of persons having an interest in the development of this rule. In short, this rule will replace the existing water column based criteria for selenium with a four part criterion. The recommended elements are: (1) a fish egg-ovary element; (2) a fish whole-body and/or muscle element; (3) a water column element (one value for lentic and one value for lotic aquatic systems); and (4) a water column intermittent element to account for potential chronic effects from short-term exposures (one value for lentic and one value for lotic aquatic systems). Site specific criteria for Sage and Crow Creeks in southeast Idaho will also be considered for development.

Idahoans that recreate in, drink from, or fish Idaho's surface waters and all who discharge pollutants to those same waters may be interested in participating in this rulemaking.

Upon conclusion of negotiations, DEQ intends to publish a proposed rule for public comment in the summer of 2017 and then present the final proposal to the Idaho Board of Environmental Quality (Board) in the fall of 2017 for adoption of a pending rule. If adopted by the Board, the rule will be reviewed by the 2018 Idaho Legislature.

**EFFECTIVE FOR CLEAN WATER ACT PURPOSES:** Water quality standards adopted and submitted to EPA since May 30, 2000 are not effective for federal Clean Water Act (CWA) purposes until EPA approves them (see **40 CFR 131.21**). This is known as the Alaska Rule. This rulemaking will be promulgated so that the existing rule, which continues to be effective for CWA purposes, remains in the Idaho Administrative Code until EPA approves the rule revisions. Notations explaining the effectiveness of the rule sections are also included. Upon EPA approval of the rule revisions, the old rule sections and notations will be deleted from the Idaho Administrative Code. Information regarding the status of EPA review will be posted at <http://www.deq.idaho.gov/epa-actions-on-proposed-standards>.

**ASSISTANCE ON TECHNICAL QUESTIONS AND SUBMISSION OF WRITTEN COMMENTS:** For assistance on questions concerning this rulemaking, contact Stephanie Jenkins at [stephanie.jenkins@deq.idaho.gov](mailto:stephanie.jenkins@deq.idaho.gov) or (208) 373-0407.

For those who cannot participate by attending the scheduled meeting, written comments may be submitted by mail, fax or email at the address below. Written comments on the preliminary draft rule must be received by May 5, 2017. For information regarding submission of written comments on subsequent drafts of the negotiated rule, to receive copies of submitted written comments, and to receive the most recent version of the draft negotiated rule, contact the undersigned.

Dated this 5th day of April, 2017.

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

Phone: (208) 373-0418  
Fax: (208) 373-0481  
E-mail: [paula.wilson@deq.idaho.gov](mailto:paula.wilson@deq.idaho.gov)

**IDAPA 61 – STATE PUBLIC DEFENSE COMMISSION**

**61.01.04 – RULES GOVERNING PROCEDURES AND FORMS FOR THE APPLICATION  
AND DISBURSEMENT OF INDIGENT DEFENSE GRANTS**

**DOCKET NO. 61-0104-1701 (NEW CHAPTER)**

**NOTICE OF RULEMAKING – ADOPTION OF TEMPORARY RULE**

**EFFECTIVE DATE:** The effective date of the temporary rule is March 3, 2017.

**AUTHORITY:** In compliance with Sections 67-5226, Idaho Code, notice is hereby given this agency has adopted a temporary rule. The action is authorized pursuant to Section 19-850(1)(a)(iv).

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

The PDC has been appropriated over 4.2 million dollars to disburse to the counties to assist with compliance of indigent defense standards and for the improvement of indigent defense delivery systems. The agency must have a mechanism with which to disburse these funds upon application to the counties. The PDC desires to implement a rule immediately that will provide the procedure and forms for the application and disbursement of these indigent defense grants. Additionally, though Idaho Code provides authority for the PDC to create temporary procedures for this process, those temporary procedures are not subject to administrative or judicial review. This temporary rule allows for such review to be available to applicants and recipients of the grants. See Section 19-850(1)(d), Idaho Code.

**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:

Adoption of this temporary rule will provide the PDC a mechanism to disburse the appropriated funds upon application by the counties thus conferring a benefit to indigent defense recipients.

**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:

There will be no negative fiscal impact on the state general fund as the funds have already been appropriated.

**ASSISTANCE ON TECHNICAL QUESTIONS:** For assistance on technical questions concerning the temporary rule, contact Kimberly Simmons at (208) 332-1735.

DATED this 1st day of March, 2017.

Kimberly Simmons, Executive Director  
State Public Defense Commission  
816 W. Bannock St., Suite 201  
Boise, Idaho 83702  
Phone: (208) 332-1735  
Fax: (208) 364-6147

**THE FOLLOWING IS THE TEXT OF THE TEMPORARY RULE FOR DOCKET NO. 61-0104-1701  
(New Chapter)**

**IDAPA 61**  
**TITLE 01**  
**CHAPTER 014**

**IDAPA 61 – STATE PUBLIC DEFENSE COMMISSION**

**61.01.04 – RULES GOVERNING PROCEDURES AND FORMS FOR THE APPLICATION  
AND DISBURSEMENT OF INDIGENT DEFENSE GRANTS**

**000. LEGAL AUTHORITY.**

Section 19-850 (1)(a)(iv), Idaho Code, gives the State Public Defense Commission (PDC) authority to promulgate rules regarding procedures and forms by which counties may apply to the commission, pursuant to section 19-862A, Idaho Code, for funds to be used to bring their delivery of indigent defense services into compliance with applicable indigent defense standards. (3-3-17)T

**001. TITLE AND SCOPE.**

**01. Title.** These rules shall be cited as IDAPA 61, Title 01, Chapter 04, “Rules Governing Procedures and Forms for the Application and Disbursement of Indigent Defense Grants.” (3-3-17)T

**02. Scope.** These rules establish the procedures by which counties may apply for Indigent Defense Grants to improve the delivery of indigent defense services and come into compliance with Indigent Defense Standards. (3-3-17)T

**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 the PDC’s office. (3-3-17)T

**003. ADMINISTRATIVE APPEALS.**

The PDC’s determination to create procedures for the application and disbursement of Indigent Defense Grants is an exercise of its duty to responsibly and prudently implement a system to improve the delivery of trial-level indigent defense services. Nevertheless, unless otherwise stated, determinations made by the PDC are subject to administrative appeal under IDAPA 04.11.01, “Idaho Rules of Administrative Procedure of the Attorney General.” (3-3-17)T

**004. INCORPORATION BY REFERENCE.**

The following documents are incorporated by reference into these rules: (3-3-17)T

**01. Standards For Defending Attorneys.** “Standards For Defending Attorneys,” edition 2016, is herein incorporated by reference and is available from the PDC’s office and on the PDC website: <http://pdc.idaho.gov/wp-content/uploads/sites/11/2017/01/Standards-for-Defending-Attorneys-FINAL.pdf>. (3-3-17)T

**005. OFFICE -- OFFICE HOURS -- MAILING ADDRESS AND STREET ADDRESS -- TELEPHONE -- INTERNET WEBSITE.**

The location and mailing address of the PDC is 816 West Bannock Street, Suite 201, Boise, Idaho 83702. The offices are open daily from 9 a.m. to 5 p.m., except Saturday, Sunday, legal holidays, and when closed because staffing levels do not permit. The PDC’s telephone number is (208) 332-1735 and the facsimile number is (208) 364-6147. The PDC’s official website is: <https://pdc.idaho.gov>. (3-3-17)T

**006. PUBLIC RECORDS ACT COMPLIANCE.**

The records relative to any IDG application are public records and are controlled pursuant to the Idaho Public Records Act, Title 74, Chapter 1, Idaho Code. (3-3-17)T

**007 -- 009. (RESERVED)**

**010. DEFINITIONS.**

As used in this chapter: (3-3-17)T

**01. Applicant.** A County that identifies a need for an Indigent Defense Grant by submission of a compliance proposal, and applies for a grant through the PDC. (3-3-17)T

**02. Approval.** An IDG application shall be approved if the applicant meets the requirements for eligibility under this chapter. An approval does not guarantee the amount or disbursement of an IDG award. The PDC retains the ability to determine the amount of an IDG award based upon the components listed in this chapter. Disbursement of funds is subject to availability as appropriated by the State Legislature each year. (3-3-17)T

**03. Case.** (3-3-17)T

**a.** A case consists of all related charges from a single incident, transaction or occurrence filed within a single case number, handled by one defending attorney. A probation violation or motion for contempt is counted as a separate case. (3-3-17)T

**b.** A felony case is counted as follows: (3-3-17)T

**i.** A case filed as a felony is counted as one felony, whether it is dismissed, remanded, pleaded, or tried to completion. (3-3-17)T

**ii.** A case filed as a felony that is remanded to magistrate court is counted once as a felony assuming vertical representation occurs. (3-3-17)T

**iii.** A case filed as a misdemeanor that is subsequently amended to a felony is counted once as a felony, assuming vertical representation occurs. (3-3-17)T

**c.** Post-judgment motions, such as those requesting early termination of probation or a reduction in sentence pursuant to Idaho Criminal Rule 35, are not counted as a case. (3-3-17)T

**d.** If two or more cases are consolidated prior to significant representation being undertaken on each individual case, then the consolidated case is counted as one case. If significant representation has occurred prior to consolidation, the cases in which such representation has occurred shall be counted as separate cases. (3-3-17)T

**04. Caseload.** The number of cases, as defined in this chapter, assigned to a defending attorney in a fiscal year. (3-3-17)T

**05. Compliance Checklist.** A document provided by the PDC each grant cycle to assistant an Applicant to determine eligibility for an IDG. The checklist will be updated each year and is required to be submitted as a part of an IDG application. (3-3-17)T

**06. Compliance Proposal.** A plan that specifically addresses how indigent defense standards shall be met and how any deficiencies previously identified by the PDC will be cured in the upcoming county fiscal year. The plan shall include a cost analysis that specifically identifies the amount of funding in excess of the applicable local share necessary to allow the county to successfully execute the compliance proposal. If the county can execute its plan without exhausting the entirety of the grant for which it may be eligible, the plan may include a request for funding for other improvements to its delivery of indigent defense services, pursuant to section 19-862A(2), Idaho Code. (3-3-17)T

**07. Defending Attorney.** Defined in Section 19-851, Idaho Code, as any attorney employed by an indigent defense provider or otherwise assigned to represent adults or juveniles at public expense in state courts. (3-3-17)T

**08. Fiscal Year.** As referred to in this chapter, fiscal year refers to a county fiscal year beginning on October 1 and ending on September 30 of the following calendar year. (3-3-17)T

**09. Indigent Defense Expenditures.** Any monies expended for indigent defense services within a county that does not include amounts received from the public defense commission or amounts expended for capital cases by those counties participating in the capital crimes defense program in excess of premiums and deductibles required by guidelines approved by the Idaho capital crimes defense fund board of directors. (3-3-17)T

**10. Indigent Defense Grant.** Pursuant to section 19-862A, Idaho Code, any sum of money awarded by the PDC to a county to support compliance with Indigent Defense Standards or for other improvements to its delivery of indigent defense services if compliance can be achieved with county monies. (3-3-17)T

**11. Indigent Defense Grant Application.** An application created by the PDC each year requesting information related to the provision of indigent defense services in an Applicant's county. This application will be updated each year and be provided by February 28, initiating the grant cycle. Counties are required to use this application when requesting an IDG award. (3-3-17)T

**12. Indigent Defense Provider.** Any agency, entity, organization or person selected by a board of county commissioners in accordance with section 19-859, Idaho Code, or designee of the commission if the commission's actions to remedy specific deficiencies pursuant to section 19-862A(11)(b), Idaho Code, involve the direct provision of indigent defense services, as a means to provide for the representation of indigent persons and other individuals who are entitled to be represented by an attorney at public expense. (3-3-17)T

**13. Indigent Defense Services.** County services provided to indigent persons and other individuals who are entitled to be represented by an attorney at public expense pursuant to section 19-859, Idaho Code. (3-3-17)T

**14. Indigent Defense Standard.** Defined in section 19-851, Idaho Code, as any rule promulgated by the commission pursuant to section 19-850(1)(a), Idaho Code, that was in place by May 1 of the prior year. These standards are outlined in the incorporated document, "Standards for Defending Attorneys, edition 2016." (3-3-17)T

**15. Joint Incentive Indigent Defense Grant.** Pursuant to section 19-862A, Idaho Code, a sum of money awarded by the PDC to counties who join together to establish and maintain a joint office of public defender pursuant to section 19-859(2), Idaho Code. (3-3-17)T

**16. Local Share.** Defined in section 19-851, Idaho Code, as the benchmark figure calculated by the commission to determine the minimum amount of funding that shall be maintained by a county and to determine the award amount of state indigent defense grants for which a county may be eligible pursuant to section 19-862A, Idaho Code. For any given county fiscal year, a county's local share shall be the median of the annual amount in county funds expended by that county for indigent defense during each of the first three (3) of the preceding five (5) county fiscal years, as certified by the county clerk. (3-3-17)T

**17. Staff.** Any individual employed by the PDC. (3-3-17)T

**18. Submission.** The date upon which an Applicant mails or digitally submits an IDG application to the PDC. (3-3-17)T

**19. Workload.** The term workload recognizes that a caseload generally consists of a mix of case types that require differing amounts of time and resources. As used in this section, workload takes that fact into consideration. (3-3-17)T

**011. ABBREVIATIONS.**

**01. PDC.** The State Public Defense Commission. (3-3-17)T

**02. IPIDDS.** Idaho's Principles of an Indigent Defense Delivery System. (3-3-17)T

**03. IDG.** Indigent Defense Grant. (3-3-17)T

**012. -- 019. (RESERVED)**

**020. GENERAL PROVISIONS OF THE INDIGENT DEFENSE GRANT PROGRAM.**

It is the intent of the PDC, through the Indigent Defense Grant Program, to provide funds and planning assistance to counties of Idaho for the improvement of their trial-level indigent defense delivery systems to promote and meet the mandates of the Sixth Amendment to the U.S. Constitution and Article I, sec. 13 of the Idaho Constitution. Indigent Defense Grant funds are subject to availability, as appropriated by the Idaho Legislature. (3-3-17)T

**021. APPLICATION OF INDIGENT DEFENSE STANDARDS.**

The established standards, detailed in the incorporated document, "Standards for Defending Attorneys, edition 2016," shall apply to all Indigent Defense Providers, defending attorneys, members of the Public Defense Roster, or any attorney who represents at least one indigent defendant or an adult or juvenile at public expense in state courts in a fiscal year. Additionally, as section 19-859, Idaho Code, establishes that the board of county commissioners of each county shall provide for the representation of indigent persons and other individuals who are entitled to be represented by an attorney, these standards also apply to the delivery of such services by the county, section 19-862A(9), Idaho Code. (3-3-17)T

**022. GRANT CYCLE.**

The PDC shall conduct the grant process in accordance to section 19-862A, Idaho Code and the following schedule so far as it does not conflict with Idaho Code: (3-3-17)T

**01. Application Availability.** The PDC shall make an application and guidance available no later than February 28 of each year, which shall initiate the grant cycle. (3-3-17)T

**02. Application Purpose.** The grant application and any attachments submitted by the applicant shall be the primary source of information for awarding a grant. The PDC may review prior grant applications submitted by the County, as well as other relevant information related to the provision of indigent defense services. The PDC may also review reports of county indigent defense services provided by staff, including a county's assigned Regional Coordinator. (3-3-17)T

**03. Application Period.** The applicant shall have through May 1 of that grant cycle to complete and submit the application to the PDC. (3-3-17)T

**04. Award Notification.** The PDC shall issue notification to every applicant regarding the disposition of their grant request within sixty (60) days of submission. (3-3-17)T

**05. Grant Approval.** Grant disbursement shall occur on or about October 1 of that grant cycle. (3-3-17)T

**06. Grant Disapproval.** If the PDC disapproves an application, the county shall consult with the PDC and submit a revised application within thirty (30) days of the mailing date of the official notification of the PDC's disapproval. A county may submit two revisions. (3-3-17)T

**a.** If after two revisions, an application is not approved by the PDC, a resolution shall be pursued through the Idaho Administrative Procedure Act, pursuant to section 67-5201 et seq., Idaho Code. (3-3-17)T

**b.** The PDC will review and issue notification of the disposition of a revised application within thirty (30) days of submission. (3-3-17)T

**07. Award Amount.** Based upon the criteria in section 026 of this chapter, the PDC shall determine the amount that is needed by the Applicant to meet or improve upon indigent defense standards. The PDC shall award that amount to an eligible Applicant, subject to the availability of funds and the priority rating of the Applicant. (3-3-17)T

**08. Priority Rating.** If funds are not available to fund all of the approved applications, the PDC shall

- prioritize the disbursement of funds to: (3-3-17)T
- a. Eligible Applicants not in compliance with any indigent defense standards; (3-3-17)T
  - b. Eligible Applicants in compliance with some indigent defense standards; then (3-3-17)T
  - c. Eligible Applicants in compliance who submit a compliance proposal with a plan to use their IDG award to improve its indigent defense delivery system in other ways pursuant to section 19-862A, Idaho Code. (3-3-17)T

**023. APPLICATION PROCEDURE.**

All forms and documents required by these rules and the PDC shall be completed and submitted according to these rules in order for an IDG application to be considered for approval. (3-3-17)T

**01. Forms.** To be considered for a grant, an applicant must file with the PDC a completed IDG application form, compliance checklist and other documentation requested in the application, all of which shall have original or digital signatures. An applicant must file with the PDC a completed grant agreement form, with original or digital signatures, within sixty (60) days of written notification of grant approval. The application and grant agreement forms shall be provided to the applicant by the PDC. (3-3-17)T

**02. Review.** The applicant or applicant’s representative may review the compliance proposal and all associated documentation with the PDC staff prior to submitting the application to ensure it meets the criteria for the Indigent Defense Grant program. When possible, PDC staff may perform an on-site visit to the county for preliminary fact finding regarding compliance with indigent defense standards. (3-3-17)T

**03. Incomplete Application.** An application which is missing required information shall be excluded from consideration for an award. (3-3-17)T

**04. Deadline.** The deadline for grant applications shall be established pursuant to section 19-862A, Idaho Code. Applications for the upcoming fiscal year are due by May 1. The PDC shall announce the availability of funds to potential applicants as soon as practically reasonable after appropriated by the Idaho Legislature. (3-3-17)T

**024. AWARD ELIGIBILITY REQUIREMENTS.**

To be considered for an award, an Applicant must meet all of the following requirements: (3-3-17)T

**01. Compliance with Indigent Defense Standards.** To be eligible for any grant award from the PDC, a county must comply with indigent defense standards or provide a suitable plan to comply in their IDG application. Pursuant to section 19-862A, Idaho Code, compliance must occur by March 31 of each year for any standards in place by May 1 of the prior year. (3-3-17)T

**02. Annual Report(s) Submitted.** Each defending attorney within an applicant’s county must have submitted an annual report pursuant to section 19-864, Idaho Code, in order for a county to be eligible to receive any grant award from the PDC. (3-3-17)T

**03. Completed Application.** To be eligible, the county must file, to the satisfaction of the PDC, a completed application for an Indigent Defense Grant. (3-3-17)T

**04. Curing of Deficiencies.** To be eligible, the Applicant must have cured, to the satisfaction of the PDC, any material breach of the terms of a previously approved state IDG. The PDC may approve an application for an IDG, even if deficiencies have not been cured, if the application includes a compliance proposal showing how an IDG is necessary to meet or improve upon indigent defense standards and that the requested amount is imperative to such compliance proposal. (3-3-17)T

**05. Use of Funds.** The Applicant must agree to use any grant funds towards compliance with the applicable indigent defense standards and/or for the improvement of the Applicant indigent defense delivery system pursuant to section 19-862A, Idaho Code. (3-3-17)T

**025. AWARD RECOMMENDATION.**

If the PDC uses a grant subcommittee, the PDC shall request a recommendation from the grant subcommittee regarding the distribution of grant funds. (3-3-17)T

**01. Assessment and Validation of Need.** The grant subcommittee, if used, shall review grant applications prior to making a recommendation about awards. The subcommittee shall carefully review the compliance proposal and cost analysis to determine eligibility and the amount needed for the applicant to meet the plan contained within the compliance proposal. (3-3-17)T

**02. Commission Approval.** Whether or not a grant subcommittee is used, all awards must be approved by the PDC. If no grant subcommittee is used, the PDC shall review the applications as set forth above. (3-3-17)T

**026. CRITERIA.**

The following criteria shall be used to evaluate applications for IDG awards: (3-3-17)T

**01. IDG Award Eligibility.** The PDC shall review the information provided in the application to determine the maximum allowable IDG award pursuant to section 19-862A(3). (3-3-17)T

**02. Compliance Proposal Provided.** The PDC shall approve an application if it includes a plan that is necessary to meet or improve upon indigent defense standards. (3-3-17)T

**03. Cost Analysis Provided.** The PDC shall approve an application if it demonstrates that the amount of the requested state indigent defense grant is necessary to meet or improve upon indigent defense standards. (3-3-17)T

**04. Annual Report(s) Submitted.** Disbursement of IDG award funds will occur if each defending attorney has submitted, to the satisfaction of the PDC, an annual report pursuant to section 19-864, Idaho Code. (3-3-17)T

**05. Deficiencies Cured.** The PDC shall determine whether the Applicant has cured, to the satisfaction of the PDC, any material breach of the terms of a previously approved IDG. In the event the PDC determines that a county has failed to materially comply with indigent defense standards, the PDC shall require that the application specifically address how the noncompliance will be cured in the upcoming fiscal year with the IDG award. In these cases, the PDC may approve an application for an IDG award if, to the satisfaction of the PDC, the application compliance proposal includes a plan to cure such deficiencies. (3-3-17)T

**06. IDG Funds Accounting.** The PDC may review the use, misuse or non-use of prior IDG awards by an Applicant and consider such use when determining how much an eligible applicant should receive upon approval of an IDG application. (3-3-17)T

**027. UNUSED IDFG FUNDS.**

All funds not expended for costs associated with the applicant's award shall be maintained in the Applicant's fund for indigent defense and be specifically earmarked to meet or improve upon indigent defense standards that are in place or might be in place in the future. Unused grant funds may be taken into consideration by the PDC in future IDG award requests by the applicant. (3-3-17)T

**028. WITHDRAWAL OF GRANT APPLICATION.**

**01. Withdrawal.** Any applicant may withdraw or forfeit an application at any time. (3-3-17)T

**02. Ability to Apply.** The withdrawal of an application does not affect the applicant's ability to reapply in a subsequent grant cycle. (3-3-17)T

**029. FRAUDULENT INFORMATION ON GRANT APPLICATION.**

Providing false information on any application or document submitted under these rules is grounds for declaring the applicant ineligible. Any and all funds determined to have been acquired on the basis of fraudulent information must be returned to the PDC. (3-3-17)T

**030 -- 099. (RESERVED)**

## **IDAPA 61 – STATE PUBLIC DEFENSE COMMISSION**

### **61.01.06 – RULES GOVERNING PROCEDURES FOR THE OVERSIGHT, IMPLEMENTATION, ENFORCEMENT, AND MODIFICATION OF INDIGENT DEFENSE STANDARDS**

#### **DOCKET NO. 61-0106-1701 (NEW CHAPTER)**

#### **NOTICE OF INTENT TO PROMULGATE RULES – NEGOTIATED RULEMAKING**

**AUTHORITY:** In compliance with Section 67-5220, Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Section 19-850(1)(a)(vi).

**METHOD OF PARTICIPATION:** Interested persons wishing to participate in the negotiated rulemaking must respond to this notice by contacting the undersigned either in writing, by email, or by calling the phone number listed below. To participate, responses must be received by June 2, 2017.

Should a reasonable number of persons respond to this notice, negotiated meetings will be scheduled and all scheduled meetings shall be posted and made accessible on the agency website at the address listed below.

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

Upon the conclusion of the negotiated rulemaking, any unresolved issues, all key issues considered, and conclusions reached during the negotiated rulemaking will be addressed in a written summary. The summary will be made available to interested persons who contact the agency or, if the agency chooses, the summary may be posted on the agency website.

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

The Public Defense Commission has been directed to create procedures for the oversight, implementation, enforcement and modification of indigent defense standards. The PDC intends on focusing on the portion of this rule that provides for the oversight and enforcement of the standards. The Public Defense Commission must ensure compliance through these two mechanisms so that the representation of indigent persons in Idaho is constitutionally sound.

**ASSISTANCE ON TECHNICAL QUESTIONS, MEETING ACCOMMODATIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING DRAFT COPIES:** For assistance on technical questions concerning this negotiated rulemaking, requests for special meeting accommodations or accessibility, or to obtain a preliminary draft copy of the rule text (if available), contact Kimberly Simmons at (208) 332-1735. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the State Public Defense Commission web site at the following web address: <https://pdc.idaho.gov>.

DATED this 3rd day of March, 2017.

Kimberly Simmons, Executive Director  
State Public Defense Commission  
816 W. Bannock St., Suite 201  
Boise, ID 83702  
Phone: (208) 332-1735  
Fax: (208) 364-6147

## **IDAPA 61 – STATE PUBLIC DEFENSE COMMISSION**

### **61.01.07 – RULES GOVERNING STANDARDS FOR DEFENDING ATTORNEYS THAT UTILIZE IDAHO’S PRINCIPLES OF AN INDIGENT DEFENSE DELIVERY SYSTEM**

**DOCKET NO. 61-0107-1701**

#### **NOTICE OF INTENT TO PROMULGATE RULES – NEGOTIATED RULEMAKING**

**AUTHORITY:** In compliance with Section 67-5220, Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Section 19-850(1)(a)(vii) Idaho Code.

**METHOD OF PARTICIPATION:** Interested persons wishing to participate in the negotiated rulemaking must respond to this notice by contacting the undersigned either in writing, by email, or by calling the phone number listed below. To participate, responses must be received by June 2, 2017.

Should a reasonable number of persons respond to this notice, negotiated meetings will be scheduled and all scheduled meetings shall be posted and made accessible on the agency website at the address listed below.

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

Upon the conclusion of the negotiated rulemaking, any unresolved issues, all key issues considered, and conclusions reached during the negotiated rulemaking will be addressed in a written summary. The summary will be made available to interested persons who contact the agency or, if the agency chooses, the summary may be posted on the agency website.

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

The amendment to this rule will create standards for defending attorneys who represent indigent defendants in capital cases and standards related to investigation and the use of experts. Standards related to capital counsel will be derived from Idaho’s Principles of an Indigent Defense Delivery System (IPIDDS) principle number 5, Idaho Code 19-850(1)(a)(vii)(5), and take into account ABA’s Guidelines for the Appointment and Performance of Defense Counsel in Death Penalty Cases, revised edition, February 2003. Defending attorneys will be required to conform to such performance standards if handling capital cases. Standards related to investigation and the use of experts are supported by IPIDDS as a whole, Idaho Code 19-850(1)(a). All defending attorneys will be required to conform to investigation standards.

**ASSISTANCE ON TECHNICAL QUESTIONS, MEETING ACCOMMODATIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING DRAFT COPIES:** For assistance on technical questions concerning this negotiated rulemaking, requests for special meeting accommodations or accessibility, or to obtain a preliminary draft copy of the rule text, contact Kelly Jennings at (208) 332-1735. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the State Public Defense Commission web site at the following web address: <https://pdc.idaho.gov/>.

DATED this 1st day of March, 2017.

Kimberly Simmons, Executive Director  
State Public Defense Commission  
816 W. Bannock St., Suite 201  
Boise, ID 83702  
Phone: (208) 332-1735  
Fax: (208) 364-6147

# Sections Affected Index

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## **IDAPA 61 – STATE PUBLIC DEFENSE COMMISSION**

### *61.01.04 – Rules Governing Procedures and Forms for the Application and Disbursement of Indigent Defense Grants*

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# LEGAL NOTICE

## Summary of Proposed Rulemakings

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

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

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

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

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

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# **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 -- April 5, 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)

***02.06.17, Rules Governing the Disposal of Cull Onions and Potatoes***

- 02-0617-1701** Adoption of Temporary Rule, Bulletin Vol. 17-3 (eff. 2-8-17)T

***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)

**07.02.04, Rules Governing Plumbing Safety Inspections**

- 07-0204-1701** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 17-4

**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)
- 07-0206-1701** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 17-4

**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)
- 07-0301-1701** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 17-3

**07.03.11, Rules Governing Manufactured/Mobile Home Industry Licensing**

- 07-0311-1701** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 17-4

**07.03.12, Rules Governing Manufactured or Mobile Home Installations**

- 07-0312-1701** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 17-4

**07.04.01, Rules Governing Safety Inspections - General**

- 07-0401-1701** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 17-4

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

- 07-0402-1701** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 17-4

**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)

***07.08.17, Idaho Minimum Safety Standards and Practices for Logging -- Cable Assisted Logging Systems***

**07-0817-1701** Notice of Intent to Promulgate Rules - Negotiated Rulemaking (New Chapter), Bulletin Vol. 17-3

***07.09.01, Safety and Health Rules for Places of Public Employment***

**07-0901-1701** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 17-4

***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)

**07-1001-1701** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 17-3

***IDAPA 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
- 08-0202-1603** Proposed Rulemaking, Bulletin Vol. 16-8
- 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)
- 08-0202-1701** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 17-4
- 08-0202-1702** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 17-4

**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
- 08-0203-1610** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-7
- 08-0203-1611** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-7
- 08-0203-1604** Proposed Rulemaking, Bulletin Vol. 16-8
- 08-0203-1605** Proposed Rulemaking, Bulletin Vol. 16-8

- 08-0203-1601 Proposed Rulemaking, Bulletin Vol. 16-10
- 08-0203-1603 Temporary and Proposed Rulemaking, Bulletin Vol. 16-10 (eff. 8-11-16)T
- 08-0203-1608 Proposed Rulemaking, Bulletin Vol. 16-10
- 08-0203-1609 Proposed Rulemaking, Bulletin Vol. 16-10
- 08-0203-1610 Proposed Rulemaking, Bulletin Vol. 16-10
- 08-0203-1611 Temporary and Proposed Rulemaking, Bulletin Vol. 16-10 (eff. 8-11-16)T
- 08-0203-1612 Adoption of Temporary Rule, Bulletin Vol. 16-12 (eff. 10-20-16)T
- 08-0203-1601 Adoption of Pending Rule, Bulletin Vol. 17-1 (eff. PLR 2017)
- 08-0203-1603 Adoption of Pending Rule, Bulletin Vol. 17-1 (eff. PLR 2017)
- 08-0203-1604 Adoption of Pending Rule, Bulletin Vol. 17-1 (eff. PLR 2017)
- 08-0203-1605 Adoption of Pending Rule, Bulletin Vol. 17-1 (eff. PLR 2017)
- 08-0203-1606 Adoption of Pending Rule, Bulletin Vol. 17-1 (eff. PLR 2017)
- 08-0203-1608 Adoption of Pending Rule, Bulletin Vol. 17-1 (eff. PLR 2017)
- 08-0203-1609 Adoption of Pending Rule, Bulletin Vol. 17-1 (eff. PLR 2017)
- 08-0203-1610 Adoption of Pending Rule, Bulletin Vol. 17-1 (eff. PLR 2017)
- 08-0203-1611 Adoption of Pending Rule, Bulletin Vol. 17-1 (eff. PLR 2017)
- 08-0203-1608 Notice of Correction to Pending Rule, Bulletin Vol. 17-2 (eff. PLR 2017)
- 08-0203-1701 Adoption of Temporary Rule, Bulletin Vol. 17-2 (eff. 12-15-16)T
- 08-0203-1702 Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 17-4
- 08-0203-1703 Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 17-4
- 08-0203-1704 Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 17-4
- 08-0203-1705 Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 17-4

#### ***08.02.05, Rules Governing Pay for Success Contracting***

- 08-0205-1601 Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-6
- 08-0205-1601 Proposed Rulemaking (New Chapter), Bulletin Vol. 16-10
- 08-0205-1601 Adoption of Pending Rule (New Chapter), Bulletin Vol. 17-1 (eff. PLR 2017)

#### ***08.05.01, Rules Governing Seed and Plant Certification - Regents of the University of Idaho***

- 08-0501-1601 Proposed Rulemaking, Bulletin Vol. 16-10
- 08-0501-1601 Adoption of Pending Rule, Bulletin Vol. 17-1 (eff. PLR 2017)

### ***IDAPA 09 -- IDAHO DEPARTMENT OF LABOR***

#### ***09.01.30, Unemployment Insurance Benefits Administration Rules***

- 09-0130-1601 Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-7
- 09-0130-1601 Proposed Rulemaking, Bulletin Vol. 16-9
- 09-0130-1601 Adoption of Pending Rule, Bulletin Vol. 16-11 (eff. PLR 2017)

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

- 09-0135-1601 Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-7
- 09-0135-1601 Proposed Rulemaking, Bulletin Vol. 16-9
- 09-0135-1601 Adoption of Pending Rule, Bulletin Vol. 16-11 (eff. PLR 2017)

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

#### ***10.01.01, Rules of Procedure***

- 10-0101-1601 Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-5
- 10-0101-1602 Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-5
- 10-0101-1603 Adoption of Temporary Rule, Bulletin Vol. 16-7 (Eff. 7-6-16)T
- 10-0101-1601 Proposed Rulemaking, Bulletin Vol. 16-8
- 10-0101-1602 Proposed Rulemaking, Bulletin Vol. 16-8
- 10-0101-1601 Adoption of Pending Rule, Bulletin Vol. 16-10 (eff. PLR 2017)

**10-0101-1602** Adoption of Pending Rule, Bulletin Vol. 16-10 (eff. PLR 2017)

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

- 10-0102-1601** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 16-5
- 10-0102-1601** Proposed Rulemaking, Bulletin Vol. 16-8
- 10-0102-1601** Adoption of Pending Rule, Bulletin Vol. 16-10 (eff. PLR 2017)
- 10-0102-1701** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-11

***IDAPA 11 -- IDAHO STATE POLICE***

***Idaho State Racing Commission***

***11.04.02, Rules Governing Simulcasting***

- 11-0402-1601** Proposed Rulemaking, Bulletin Vol. 16-10
- 11-0402-1601** Notice of Vacation of Proposed Rulemaking, Bulletin Vol. 17-1

***11.04.03, Rules Governing Licensing and Fees***

- 11-0403-1601** Proposed Rulemaking (Fee Rule), Bulletin Vol. 16-10
- 11-0403-1601** Adoption of Pending Rule, Bulletin Vol. 17-1 (eff. PLR 2017)

***Peace Officer Standards and Training (POST) Council***

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

- 11-1101-1601** Proposed Rulemaking, Bulletin Vol. 16-10
- 11-1101-1602** Temporary and Proposed Rulemaking, Bulletin Vol. 16-10 (eff. 9-1-16)T
- 11-1101-1601** Adoption of Pending Rule, Bulletin Vol. 17-1 (eff. PLR 2017)
- 11-1101-1602** Adoption of Pending Rule, Bulletin Vol. 17-1 (eff. PLR 2017)

***11.11.02, Rules of the Idaho POST Council for Juvenile Detention Officers***

- 11-1102-1601** Proposed Rulemaking, Bulletin Vol. 16-10
- 11-1102-1601** Adoption of Pending Rule, Bulletin Vol. 17-1 (eff. PLR 2017)

***11.11.04, Rules of the Idaho POST Council for Correctional Officers and Adult Probation and Parole Officers***

- 11-1104-1601** Proposed Rulemaking, Bulletin Vol. 16-10
- 11-1104-1601** Adoption of Pending Rule, Bulletin Vol. 17-1 (eff. PLR 2017)

***Idaho State Police Commercial Vehicle Safety***

***11.13.01, The Motor Carrier Rules***

- 11-1301-1601** Temporary and Proposed Rulemaking, Bulletin Vol. 16-10 (eff. 9-15-16)T
- 11-1301-1602** Proposed Rulemaking, Bulletin Vol. 16-10
- 11-1301-1603** Proposed Rulemaking, Bulletin Vol. 16-10
- 11-1301-1601** Adoption of Pending Rule, Bulletin Vol. 17-1 (eff. PLR 2017)
- 11-1301-1602** Adoption of Pending Rule, Bulletin Vol. 17-1 (eff. PLR 2017)
- 11-1301-1603** Adoption of Pending Rule, Bulletin Vol. 17-1 (eff. PLR 2017)

***IDAPA 12 -- DEPARTMENT OF FINANCE***

***12.01.08, Rules Pursuant to the Uniform Securities Act (2004)***

- 12-0108-1601** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-5
- 12-0108-1601** Proposed Rulemaking (Fee Rule), Bulletin Vol. 16-8
- 12-0108-1601** Adoption of Pending Fee Rule, Bulletin Vol. 16-10 (eff. PLR 2017)

***12.01.10, Rules Pursuant to the Idaho Residential Mortgage Practices Act***

- 12-0110-1601** Proposed Rulemaking, Bulletin Vol. 16-10

**12-0110-1601** Adoption of Pending Rule, Bulletin Vol. 16-12 (eff. PLR 2017)

### ***IDAPA 13 -- IDAHO FISH AND GAME COMMISSION***

#### ***13.01.02, Rules Governing Hunter Education and Mentored Hunting***

**13-0102-1601** Proposed Rulemaking, Bulletin Vol. 16-10

**13-0102-1601** Adoption of Pending Rule, Bulletin Vol. 17-1 (eff. PLR 2017)

#### ***13.01.07, Rules Governing the Taking of Upland Game Animals***

**13-0107-1601P** Notice of Proposed Proclamation, Bulletin Vol. 16-10

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

**13-0108-1601** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-7

**13-0108-1602P** Notice of Proposed Proclamation, Bulletin Vol. 16-8

**13-0108-1601** Proposed Rulemaking, Bulletin Vol. 16-10

**13-0108-1603\*** *Proposed Rulemaking, Bulletin Vol. 16-10*

**13-0108-1601** Adoption of Pending Rule, Bulletin Vol. 17-1 (eff. PLR 2017)

**13-0108-1603\*** *Notice of Vacation of Proposed Rulemaking, Bulletin Vol. 17-1 (Rulemaking Terminated)*

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

**13-0109-1601** Temporary and Proposed Rulemaking, Bulletin Vol. 16-10 (eff. 8-8-16)T

**13-0109-1602** Proposed Rulemaking, Bulletin Vol. 16-10

**13-0109-1603P** Notice of Proposed Proclamation, Bulletin Vol. 16-10

**13-0109-1601** Adoption of Pending Rule, Bulletin Vol. 17-1 (eff. PLR 2017)

**13-0109-1602** Adoption of Pending Rule, Bulletin Vol. 17-1 (eff. PLR 2017)

**13-0109-1701** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 17-3

#### ***13.01.11, Rules Governing Fish***

**13-0111-1601** Temporary and Proposed Rulemaking, Bulletin Vol. 16-10 (eff. 8-8-16)T

**13-0111-1602P** Notice of Proposed Proclamation, Bulletin Vol. 16-10

**13-0111-1601** Adoption of Pending Rule, Bulletin Vol. 17-1 (eff. PLR 2017)

#### ***13.01.13, Rules Governing the Taking of American Crow in the State of Idaho***

**13-0113-1601P** Notice of Proposed Proclamation, Bulletin Vol. 16-10

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

**13-0116-1601P** Notice of Proposed Proclamation, Bulletin Vol. 16-10

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

**13-0117-1601** Proposed Rulemaking, Bulletin Vol. 16-10

**13-0117-1601** Adoption of Pending Rule, Bulletin Vol. 17-1 (eff. PLR 2017)

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

#### ***Executive Orders of the Governor***

Executive Order No. **2015-13** Bulletin Vol. 16-2

Executive Order No. **2016-01** Bulletin Vol. 16-6

Executive Order No. **2016-02** Bulletin Vol. 16-12

Executive Order No. **2016-03** Bulletin Vol. 16-12

Executive Order No. **2016-04** Bulletin Vol. 16-12

Executive Order No. **2016-05** Bulletin Vol. 17-2

Executive Order No. **2016-06** Bulletin Vol. 17-2  
Executive Order No. **2016-07** Bulletin Vol. 17-2  
Executive Order No. **2017-01** Bulletin Vol. 17-2  
Executive Order No. **2017-02** Bulletin Vol. 17-2

### ***Division of Human Resources and Personnel Commission***

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

**15-0401-1601** Proposed Rulemaking, Bulletin Vol. 16-10  
**15-0401-1601** Adoption of Pending Rule, Bulletin Vol. 17-1 (eff. PLR 2017)

### ***Idaho Military Division***

#### ***Idaho Public Safety Communications Commission***

#### ***15.06.01, Rules Governing the Idaho Public Safety Communications Commission***

**15-0601-1601\*** Temporary and Proposed Rulemaking, Bulletin Vol. 16-8 (eff. 7-1-16)T  
\*Rulemaking changes name of chapter from: “*Rules Governing the Idaho Emergency Communications Commission*”  
to: “*Rules Governing the Idaho Public Safety Communications Commission*”  
**15-0601-1601\*** Adoption of Pending Rule, Bulletin Vol. 16-10 (eff. PLR 2017)

#### ***15.06.02, Rules Governing the Idaho Public Safety Communications Commission Grants***

**15-0602-1601** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-6  
**15-0602-1601** Proposed Rulemaking, Bulletin Vol. 16-8  
**15-0602-1602\*** Temporary and Proposed Rulemaking, Bulletin Vol. 16-8 (eff. 7-1-16)T  
\*Rulemaking changes name of chapter from: “*Rules Governing the Idaho Emergency Communications Commission Grants*”  
to: “*Rules Governing the Idaho Public Safety Communications Commission Grants*”  
**15-0602-1601** Adoption of Pending Rule, Bulletin Vol. 16-10 (eff. PLR 2017)  
**15-0602-1602\*** Adoption of Pending Rule, Bulletin Vol. 16-10 (eff. PLR 2017)

### ***Idaho Office of Emergency Management***

#### ***15.06.06, Rules Governing Use of Disaster Emergency Account Funds***

**15-0606-1601** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking (New Chapter), Bulletin Vol. 16-8  
**15-0606-1601** Proposed Rulemaking, Bulletin Vol. 16-10  
**15-0606-1601** Adoption of Pending Rule, Bulletin Vol. 16-12 (eff. PLR 2017)

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

#### ***16.01.02, Emergency Medical Services (EMS) - Rule Definitions***

**16-0102-1601** Proposed Rulemaking, Bulletin Vol. 16-9  
**16-0102-1601** Adoption of Pending Rule, Bulletin Vol. 17-1 (eff. PLR 2017)

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

**16-0103-1601** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-6  
**16-0103-1601** Proposed Rulemaking, Bulletin Vol. 16-9  
**16-0103-1602** Temporary and Proposed Rulemaking, Bulletin Vol. 16-9 (eff. 8-18-16)T  
**16-0103-1601** Adoption of Pending Rule, Bulletin Vol. 17-1 (eff. PLR 2017)  
**16-0103-1602** Adoption of Pending Rule, Bulletin Vol. 17-1 (eff. PLR 2017)

#### ***16.01.06, Emergency Medical Services (EMS) -- Date Collection and Submission Requirements***

**16-0106-1601** Proposed Rulemaking, Bulletin Vol. 16-9  
**16-0106-1601** Adoption of Pending Rule, Bulletin Vol. 17-1 (eff. PLR 2017)

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

- 16-0107-1501\*** Temporary and Proposed Rulemaking, Bulletin Vol. 15-1 (eff. 1-1-15)T (Expired 6-30-16)  
**16-0107-1501\*** OAR Omnibus Notice of Legislative Action - Extension of Temporary Rule by SCR 127, Bulletin Vol. 15-5  
**16-0107-1501\*** Vacation of Proposed Rulemaking, Bulletin Vol. 15-8  
**16-0107-1501** OAR Omnibus Notice of Legislative Action - Extension of Temporary Rule by SCR 154, Bulletin Vol. 16-5 (eff. 1-1-15)T  
**16-0107-1601** Proposed Rulemaking, Bulletin Vol. 16-9  
**16-0107-1601** Adoption of Pending Rule, Bulletin Vol. 17-1 (eff. PLR 2017)

**16.02.01, Rules of the Idaho Time Sensitive Emergency System Council**

- 16-0201-1601** Proposed Rulemaking, Bulletin Vol. 16-10  
**16-0201-1601** Adoption of Pending Rule, Bulletin Vol. 17-1 (eff. PLR 2017)

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

- 16-0202-1601** Proposed Rulemaking, Bulletin Vol. 16-10  
**16-0202-1601** Adoption of Pending Rule, Bulletin Vol. 17-1 (eff. PLR 2017)

**16.02.10, Idaho Reportable Diseases**

- 16-0210-1701** Temporary and Proposed Rulemaking, Bulletin Vol. 17-1 (eff. 1-1-17)T

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

- 16-0219-1601** Proposed Rulemaking, Bulletin Vol. 16-9  
**16-0219-1601** Adoption of Pending Rule, Bulletin Vol. 17-1 (eff. PLR 2017)

**16.03.03, Rules Governing Child Support Services**

- 16-0303-1601** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-7  
**16-0303-1601** Proposed Rulemaking, Bulletin Vol. 16-10  
**16-0303-1601** Adoption of Pending Rule, Bulletin Vol. 16-12 (eff. PLR 2017)

**16.03.04, Rules Governing the Food Stamp Program in Idaho**

- 16-0304-1601** Proposed Rulemaking, Bulletin Vol. 16-10  
**16-0304-1601** Adoption of Pending Rule, Bulletin Vol. 16-12 (eff. PLR 2017)

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

- 16-0305-1601** Proposed Rulemaking, Bulletin Vol. 16-10  
**16-0305-1601** Adoption of Pending Rule, Bulletin Vol. 16-12 (eff. PLR 2017)

**16.03.08, Rules Governing the Temporary Assistance for Families in Idaho (TAFI) Program**

- 16-0308-1601** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-6  
**16-0308-1601** Proposed Rulemaking, Bulletin Vol. 16-10  
**16-0308-1601** Adoption of Pending Rule, Bulletin Vol. 16-12 (eff. PLR 2017)

**16.03.09, Medicaid Basic Plan Benefits**

- 16-0309-1601** Proposed Rulemaking, Bulletin Vol. 16-10  
**16-0309-1602** Proposed Rulemaking, Bulletin Vol. 16-10  
**16-0309-1601** Adoption of Pending Rule, Bulletin Vol. 17-1 (eff. PLR 2017)  
**16-0309-1602** Adoption of Pending Rule, Bulletin Vol. 17-1 (eff. PLR 2017)

**16.03.10, Medicaid Enhanced Plan Benefits**

- 16-0310-1601** Temporary and Proposed Rulemaking, Bulletin Vol. 16-6 (eff. 1-1-16)T  
**16-0310-1601** Adoption of Pending Rule, Bulletin Vol. 16-12 (eff. PLR 2017)

**16.03.18, Medicaid Cost-Sharing**

- 16-0318-1601** Temporary and Proposed Rulemaking, Bulletin Vol. 16-6 (eff. 7-1-16)T  
**16-0318-1601** Adoption of Pending Rule, Bulletin Vol. 16-12 (eff. PLR 2017)

**16.03.19, Rules Governing Certified Family Homes**

- 16-0319-1601** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-4
- 16-0319-1601** (Second) Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 16-5
- 16-0319-1601** Proposed Rulemaking, Bulletin Vol. 16-9
- 16-0319-1601** Adoption of Pending Rule, Bulletin Vol. 17-1 (eff. PLR 2017)

**16.03.22, Residential Care or Assisted Living Facilities in Idaho**

- 16-0322-1601** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-4
- 16-0322-1601** (Second) Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 16-5

**16.04.17, Rules Governing Residential Habilitation Agencies**

- 16-0417-1601\*** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-4
- 16-0417-1601\*** (Second) Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 16-5 (Rulemaking Terminated)
- 16-0417-1701** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-12
- 16-0417-1701** 2nd Notice of Intent to Promulgate a Rule (2nd Notice) - Negotiated Rulemaking, Bulletin Vol. 17-1
- 16-0417-1701** 3rd Notice of Intent to Promulgate a Rule (3rd Notice) - Negotiated Rulemaking, Bulletin Vol. 17-2

**16.05.06, Criminal History and Background Checks**

- 16-0506-1602** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-6
- 16-0506-1601** Temporary and Proposed Rulemaking (Fee Rule), Bulletin Vol. 16-7 (eff. 7-1-16)T
- 16-0506-1602** Proposed Rulemaking (Fee Rule), Bulletin Vol. 16-9
- 16-0506-1601** Adoption of Pending Fee Rule, Bulletin Vol. 17-1 (eff. PLR 2017)
- 16-0506-1602** Adoption of Pending Fee Rule, Bulletin Vol. 17-1 (eff. PLR 2017)

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

- 16-0507-1601** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-4
- 16-0507-1601** Temporary and Proposed Rulemaking, Bulletin Vol. 16-7 (eff. 7-1-16)T
- 16-0507-1601** Adoption of Pending Rule, Bulletin Vol. 17-1 (eff. PLR 2017)

**16.06.01, Child and Family Services**

- 16-0601-1601** Proposed Rulemaking, Bulletin Vol. 16-9
- 16-0601-1601** Adoption of Pending Rule, Bulletin Vol. 17-1 (eff. PLR 2017)

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

- 16-0612-1601** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-6
- 16-0612-1601** Temporary and Proposed Rulemaking, Bulletin Vol. 16-9 (eff. 10-1-16)T
- 16-0612-1601** Adoption of Pending Rule, Bulletin Vol. 16-12 (eff. PLR 2017)

**16.07.19, Behavioral Health Peer Specialist and Family Support Partner Certification**

- 16-0719-1601** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-6
- 16-0719-1601** Proposed Rulemaking, Bulletin Vol. 16-10
- 16-0719-1601** Adoption of Pending Rule, Bulletin Vol. 17-1 (eff. PLR 2017)

**16.07.37, Children's Mental Health Services**

- 16-0737-1601** Proposed Rulemaking, Bulletin Vol. 16-10
- 16-0737-1601** Adoption of Pending Rule, Bulletin Vol. 17-1 (eff. PLR 2017)

**IDAPA 18 -- DEPARTMENT OF INSURANCE****18.01.10, Producers Handling of Fiduciary Funds**

- 18-0110-1601** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-7
- 18-0110-1601** Proposed Rulemaking, Bulletin Vol. 16-9
- 18-0110-1601** Adoption of Pending Rule, Bulletin Vol. 16-11 (eff. PLR 2017)

***18.01.29, Restrictions on Discretionary Clauses in Health Insurance Contracts***

**18-0129-1601** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-7.

***18.01.48, Rule to Implement the Privacy of Consumer Financial Information***

**18-0148-1601** Temporary and Proposed Rulemaking, Bulletin Vol. 16-10 (eff. 9-1-16)T

**18-0148-1601** Adoption of Pending Rule, Bulletin Vol. 16-12 (eff. PLR 2017)

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

**18-0150-1601** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-7

**18-0150-1601** Proposed Rulemaking, Bulletin Vol. 16-9

**18-0150-1601** Adoption of Pending Rule, Bulletin Vol. 16-11 (eff. PLR 2017)

***18.01.54, Rule to Implement the NAIC Medicare Supplement Insurance Minimum Standards Model Act***

**18-0154-1601** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-7

**18-0154-1601** Proposed Rulemaking, Bulletin Vol. 16-9

**18-0154-1601** Adoption of Pending Rule, Bulletin Vol. 16-11 (eff. PLR 2017)

***18.01.56, Rebates and Illegal Inducements to Obtaining Title Insurance Business Rules***

**18-0156-1601** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-8

**18-0156-1601** Proposed Rulemaking, Bulletin Vol. 16-10

**18-0156-1601** Adoption of Pending Rule, Bulletin Vol. 16-12 (eff. PLR 2017)

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

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

**19-0101-1601** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-6

**19-0101-1601** Proposed Rulemaking, Bulletin Vol. 16-9

**19-0101-1601** Adoption of Pending Rule, Bulletin Vol. 16-12 (eff. PLR 2017)

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

***20.02.14, Rules for Selling Forest Products on State-Owned Endowment Lands***

**20-0214-1601** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-6

**20-0214-1601** Proposed Rulemaking, Bulletin Vol. 16-8

**20-0214-1601** Adoption of Pending Rule, Bulletin Vol. 17-1 (eff. PLR 2017)

***20.03.16, Rules Governing Oil and Gas Leasing on Idaho State Lands***

**20-0316-1601** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-7

**20-0316-1601** Proposed Rulemaking, Bulletin Vol. 16-10

**20-0316-1601** Adoption of Pending Rule, Bulletin Vol. 17-1 (eff. PLR 2017)

***20.07.01, Rules of Practice and Procedure Before the Idaho Oil And Gas Conservation Commission***

**20-0701-1601** Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 16-8

**20-0701-1601** Adoption of Pending Rule (Chapter Repeal), Bulletin Vol. 16-11 (eff. PLR 2017)

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

**20-0702-1601** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-5

**20-0702-1601** Proposed Rulemaking, Bulletin Vol. 16-10

**20-0702-1601** Adoption of Pending Rule, Bulletin Vol. 17-1 (eff. PLR 2017)

## ***IDAPA 22 -- BOARD OF MEDICINE***

***22.01.03, Rules for the Licensure of Physician Assistants***

- 22-0103-1601** Proposed Rulemaking, Bulletin Vol. 16-10
- 22-0103-1601** Adoption of Pending Rule, Bulletin Vol. 16-12 (eff. PLR 2017)

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

- 23-0101-1601** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-7
- 23-0101-1601** Proposed Rulemaking (Fee Rule), Bulletin Vol. 16-10
- 23-0101-1602** Temporary and Proposed Rulemaking, Bulletin Vol. 16-10 (eff. 8-1-16)T
- 23-0101-1601** Adoption of Pending Fee Rule, Bulletin Vol. 16-12 (eff. PLR 2017)
- 23-0101-1602** Adoption of Pending Rule, Bulletin Vol. 16-12 (eff. PLR 2017)

***IDAPA 24 -- BUREAU OF OCCUPATIONAL LICENSES******24.01.01, Rules of the Board of Architectural Examiners***

- 24-0101-1601** Proposed Rulemaking, Bulletin Vol. 16-10
- 24-0101-1601** Adoption of Pending Rule, Bulletin Vol. 16-12 (eff. PLR 2017)

***24.03.01, Rules of the State Board of Chiropractic Physicians***

- 24-0301-1601** Proposed Rulemaking, Bulletin Vol. 16-10
- 24-0301-1601** Adoption of Pending Fee Rule, Bulletin Vol. 16-12 (eff. PLR 2017)

***24.08.01, Rules of the State Board of Morticians***

- 24-0801-1601** Temporary and Proposed Rulemaking, Bulletin Vol. 16-9 (eff. 7-12-16)T
- 24-0801-1601** Adoption of Pending Rule, Bulletin Vol. 16-12 (eff. PLR 2017)

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

- 24-1001-1601** Proposed Rulemaking, Bulletin Vol. 16-10
- 24-1001-1601** Adoption of Pending Rule, Bulletin Vol. 17-1 (eff. PLR 2017)

***24.12.01, Rules of the State Board of Psychologist Examiners***

- 24-1201-1601** Proposed Rulemaking, Bulletin Vol. 16-10
- 24-1201-1601** Adoption of Pending Rule, Bulletin Vol. 17-1 (eff. PLR 2017)

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

- 24-1601-1601** Proposed Rulemaking, Bulletin Vol. 16-10
- 24-1601-1601** Adoption of Pending Rule, Bulletin Vol. 16-12 (eff. PLR 2017)

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

- 24-1701-1601** Proposed Rulemaking, Bulletin Vol. 16-10
- 24-1701-1601** Adoption of Pending Rule, Bulletin Vol. 16-12 (eff. PLR 2017)

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

- 24-1801-1601** Adoption of Temporary Rule, Bulletin Vol. 16-5 (eff. 4-1-16)T
- 24-1801-1602** Proposed Rulemaking (Fee Rule), Bulletin Vol. 16-10
- 24-1801-1602** Adoption of Pending Fee Rule, Bulletin Vol. 17-1 (eff. PLR 2017)

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

- 24-1901-1601** Proposed Rulemaking (Fee Rule), Bulletin Vol. 16-10
- 24-1901-1601** Adoption of Pending Fee Rule, Bulletin Vol. 16-12 (eff. PLR 2017)

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

- 24-2201-1601 Proposed Rulemaking, Bulletin Vol. 16-10
- 24-2201-1601 Adoption of Pending Rule, Bulletin Vol. 16-12 (eff. PLR 2017)

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

- 24-2301-1601 Proposed Rulemaking (Fee Rule), Bulletin Vol. 16-10
- 24-2301-1601 Adoption of Pending Fee Rule, Bulletin Vol. 16-12 (eff. PLR 2017)

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

- 24-2501-1601 Proposed Rulemaking, Bulletin Vol. 16-10
- 24-2501-1601 Adoption of Pending Rule, Bulletin Vol. 16-12 (eff. PLR 2017)

**24.27.01, Rules of the Idaho State Board of Massage Therapy**

- 24-2701-1601 Proposed Rulemaking, Bulletin Vol. 16-10
- 24-2701-1601 Adoption of Pending Fee Rule, Bulletin Vol. 17-1 (eff. PLR 2017)

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

- 26-0120-1601 Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-9
- 26-0120-1601 Proposed Rulemaking, Bulletin Vol. 16-11
- 26-0120-1601 Adoption of Pending Fee Rule, Bulletin Vol. 17-1 (eff. PLR 2017)

***IDAPA 27 -- BOARD OF PHARMACY*****27.01.01, Rules of the Idaho State Board of Pharmacy**

- 27-0101-1601 Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-6
- 27-0101-1601 Proposed Rulemaking, Bulletin Vol. 16-9
- 27-0101-1602 Proposed Rulemaking, Bulletin Vol. 16-9
- 27-0101-1603 Proposed Rulemaking, Bulletin Vol. 16-9
- 27-0101-1604 Proposed Rulemaking, Bulletin Vol. 16-9
- 27-0101-1605 Adoption of Temporary Rule, Bulletin Vol. 16-9 (eff. 8-13-16)T
- 27-0101-1606 Proposed Rulemaking, Bulletin Vol. 16-10
- 27-0101-1601 Adoption of Pending Rule, Bulletin Vol. 16-12 (eff. PLR 2017)
- 27-0101-1602 Adoption of Pending Rule, Bulletin Vol. 16-12 (eff. PLR 2017)
- 27-0101-1603 Adoption of Pending Rule, Bulletin Vol. 16-12 (eff. PLR 2017)
- 27-0101-1604 Adoption of Pending Rule, Bulletin Vol. 16-12 (eff. PLR 2017)
- 27-0101-1606 Adoption of Pending Rule, Bulletin Vol. 16-12 (eff. PLR 2017)

***IDAPA 28 -- DEPARTMENT OF COMMERCE*****28.02.07, Rules Governing the Administration of the IGEN Grant Program**

- 28-0207-1601 Proposed Rulemaking, Bulletin Vol. 16-10
- 28-0207-1601 Adoption of Pending Rule, Bulletin Vol. 17-11 (eff. PLR 2017)

***IDAPA 31 -- PUBLIC UTILITIES COMMISSION*****31.46.02, Rules for Telecommunications Relay Services (TRS)**

- 31-4602-1601 Notice of Adoption of Temporary Rule, Bulletin Vol. 16-7 (eff. 5-1-16)T
- 31-4602-1602 Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-7
- 31-4602-1602 Proposed Rulemaking, Bulletin Vol. 16-9
- 31-4602-1602 Adoption of Pending Rule, Bulletin Vol. 16-12 (eff. PLR 2017)

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

- 35-0101-1601** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-6
- 35-0101-1602** Proposed Rulemaking, Bulletin Vol. 16-10
- 35-0101-1602** Adoption of Pending Rule, Bulletin Vol. 16-12 (eff. PLR 2017)

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

- 35-0102-1601** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-5
- 35-0102-1602** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-7
- 35-0102-1601** Proposed Rulemaking, Bulletin Vol. 16-10
- 35-0102-1602** Proposed Rulemaking, Bulletin Vol. 16-10
- 35-0102-1603** Proposed Rulemaking, Bulletin Vol. 16-10
- 35-0102-1601** Adoption of Pending Rule, Bulletin Vol. 16-12 (eff. PLR 2017)
- 35-0102-1602** Adoption of Pending Rule, Bulletin Vol. 16-12 (eff. PLR 2017)
- 35-0102-1603** Adoption of Pending Rule, Bulletin Vol. 16-12 (eff. PLR 2017)

***35.01.03, Property Tax Administrative Rules***

- 35-0103-1601** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-4
- 35-0103-1602** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-5
- 35-0103-1603** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-7
- 35-0103-1604** Adoption of Temporary Rule, Bulletin Vol. 16-8 (eff. 7-1-16)T
- 35-0103-1601** Proposed Rulemaking, Bulletin Vol. 16-9
- 35-0103-1602** Proposed Rulemaking, Bulletin Vol. 16-9
- 35-0103-1603** Proposed Rulemaking, Bulletin Vol. 16-9
- 35-0103-1605** Proposed Rulemaking, Bulletin Vol. 16-9
- 35-0103-1606** Adoption of Temporary Rule, Bulletin Vol. 16-11 (eff. 10-1-16)T
- 35-0103-1601** Adoption of Pending Rule, Bulletin Vol. 16-12 (eff. PLR 2017)
- 35-0103-1602** Adoption of Pending Rule, Bulletin Vol. 16-12 (eff. PLR 2017)
- 35-0103-1603** Adoption of Pending Rule, Bulletin Vol. 16-12 (eff. PLR 2017)
- 35-0103-1605** Adoption of Pending Rule, Bulletin Vol. 16-12 (eff. PLR 2017)
- 35-0103-1605** Notice of Correction to Pending Rule, Bulletin Vol. 17-1
- 35-0103-1701** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 17-3

***35.01.05, Motor Fuels Tax Administrative Rules***

- 35-0105-1601** Proposed Rulemaking, Bulletin Vol. 16-5
- 35-0105-1602** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-5
- 35-0105-1602** Proposed Rulemaking, Bulletin Vol. 16-7
- 35-0105-1601** Adoption of Pending Rule, Bulletin Vol. 16-12 (eff. PLR 2017)
- 35-0105-1602** Adoption of Pending Rule, Bulletin Vol. 16-12 (eff. PLR 2017)

***35.01.10, Idaho Cigarette and Tobacco Products Tax Administrative Rules***

- 35-0110-1601** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-5
- 35-0110-1601** Proposed Rulemaking, Bulletin Vol. 16-10
- 35-0110-1601** Adoption of Pending Rule, Bulletin Vol. 16-12 (eff. PLR 2017)

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

- 35-0201-1601** Proposed Rulemaking, Bulletin Vol. 16-10
- 35-0201-1601** Adoption of Pending Rule, Bulletin Vol. 16-12 (eff. PLR 2017)

***IDAPA 37 -- DEPARTMENT OF WATER RESOURCES******37.03.13, The Water Management Rules***

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

### ***IDAPA 38 -- IDAHO DEPARTMENT OF ADMINISTRATION***

#### ***38.05.01, Rules of the Division of Purchasing***

- 38-0501-1601** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-6  
**38-0501-1601** Proposed Rulemaking, Bulletin Vol. 16-10  
**38-0501-1601** Adoption of Pending Rule, Bulletin Vol. 16-12 (eff. PLR 2017)

### ***IDAPA 39 -- IDAHO TRANSPORTATION DEPARTMENT***

- 39-0300-1601** Omnibus Notice of Intent to Promulgate - Negotiated Rulemaking, Bulletin Vol. 16-5  
(Rulemaking may affect Chapters under Title 03 - "Vehicles and/or Loads Required to Operate Under an Overlegal Permit")

#### ***39.03.06, Rules Governing Allowable Vehicle Size***

- 39-0306-1601** Proposed Rulemaking, Bulletin Vol. 16-9  
**39-0306-1601** Adoption of Pending Rule, Bulletin Vol. 16-12 (eff. PLR 2017)

#### ***39.03.11, Rules Governing Overlegal Permittee Responsibility and Travel Restrictions***

- 39-0311-1601** Proposed Rulemaking, Bulletin Vol. 16-9  
**39-0311-1601** Adoption of Pending Rule, Bulletin Vol. 17-1 (eff. PLR 2017)

#### ***39.03.12, Rules Governing Safety Requirements of Overlegal Permits***

- 39-0312-1601** Proposed Rulemaking, Bulletin Vol. 16-9  
**39-0312-1601** Adoption of Pending Rule, Bulletin Vol. 16-12 (eff. PLR 2017)

#### ***39.03.15, Rules Governing Excess Weight Permits for Reducible Loads***

- 39-0315-1601** Proposed Rulemaking, Bulletin Vol. 16-10  
**39-0315-1601** Adoption of Pending Rule, Bulletin Vol. 17-1 (eff. PLR 2017)

#### ***39.03.22, Rules Governing Overlegal Permits for Extra-Length, Excess Weight, and Up To 129,000 Pound Vehicle Combinations***

- 39-0322-1601** Proposed Rulemaking, Bulletin Vol. 16-9  
**39-0322-1601** Adoption of Pending Rule, Bulletin Vol. 16-12 (eff. PLR 2017)

#### ***39.03.23, Rules Governing Revocation of Overlegal Permits***

- 39-0323-1601** Proposed Rulemaking, Bulletin Vol. 16-9  
**39-0323-1601** Adoption of Pending Rule, Bulletin Vol. 16-12 (eff. PLR 2017)

### ***IDAPA 42 -- IDAHO WHEAT COMMISSION***

#### ***42.01.01, Rules of the Idaho Wheat Commission***

- 42-0101-1601** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-6  
**42-0101-1601** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking (2nd Notice), Bulletin Vol. 16-10  
**42-0101-1601** Proposed Rulemaking, Bulletin Vol. 16-11  
**42-0101-1602** Proposed Rulemaking, Bulletin Vol. 16-11  
**42-0101-1601** Adoption of Pending Rule, Bulletin Vol. 17-1 (eff. PLR 2017)  
**42-0101-1602** Adoption of Pending Rule, Bulletin Vol. 17-1 (eff. PLR 2017)

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

- 46-0101-1601** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-6
- 46-0101-1602** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-7
- 46-0101-1601** Proposed Rulemaking, Bulletin Vol. 16-9
- 46-0101-1603** Temporary and Proposed Rulemaking (Fee Rule), Bulletin Vol. 16-9 (eff. 7-1-16)T
- 46-0101-1601** Adoption of Pending Rule, Bulletin Vol. 16-11 (eff. PLR 2017)
- 46-0101-1603** Adoption of Pending Fee Rule and Amendment to Temporary, Bulletin Vol. 16-11 (eff. PLR 2017) (eff. 10-11-16)T

***IDAPA 47 -- DIVISION OF VOCATIONAL REHABILITATION******47.01.01, Rules of the Idaho Division of Vocational Rehabilitation***

- 47-0101-1601** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-6
- 47-0101-1601** Proposed Rulemaking, Bulletin Vol. 16-10
- 47-0101-1601** Adoption of Pending Rule, Bulletin Vol. 17-1 (eff. PLR 2017)

***47.01.02, Rules and Minimum Standards Governing Extended Employment Services***

- 47-0102-1601** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-6
- 47-0102-1601** Proposed Rulemaking, Bulletin Vol. 16-10
- 47-0102-1601** Adoption of Pending Rule, Bulletin Vol. 17-1 (eff. PLR 2017)

***IDAPA 48 -- GRAPE GROWERS AND WINE PRODUCERS COMMISSION******48.01.01, Rules of Procedure of the Idaho Grape Growers and Wine Producers Commission, IAC Vol. 8***

- 48-0101-1601** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-6
- 48-0101-1601** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-7 (2nd Notice)
- 48-0101-1601** Proposed Rulemaking, Bulletin Vol. 16-9
- 48-0101-1601** Adoption of Pending Rule, Bulletin Vol. 16-12 (eff. PLR 2017)

***IDAPA 50 -- COMMISSION FOR PARDONS AND PAROLE******50.01.01, Rules of the Commission of Pardons and Parole***

- 50-0101-1601** *Proposed Rulemaking (Rulemaking pulled and not published)*
- 50-0101-1602** Adoption of Temporary Rule, Bulletin Vol. 16-10 (eff. 8-8-16)T

***IDAPA 55 -- DIVISION OF CAREER TECHNICAL EDUCATION***

*(Senate Bill 1210 enacted 7/1/16 changed the name of the Division from Professional Technical Education to Career Technical Education)*

***55.01.03, Rules of Career Technical Schools***

- 55-0103-1601** *Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-6*
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