

# IDAHO ADMINISTRATIVE BULLETIN

May 1, 2019 – Vol. 19-5

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Brad Little, Governor  
Bryan Mooney, Director, Department of Administration  
Dennis Stevenson, Administrative Rules Coordinator  
Bradley Hunt, Administrative Rules Specialist  
Jason Shaw, Regulatory Analyst and Publishing Specialist

# IDAHO ADMINISTRATIVE BULLETIN

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# PREFACE

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

State agencies are required to provide public notice of all rulemaking actions and must invite public input. This is done through negotiated rulemaking procedures or after proposed rulemaking has been initiated. The public receives notice that an agency has initiated proposed rulemaking procedures through the Idaho Administrative Bulletin and a legal notice (Public Notice of Intent) that publishes in authorized newspapers throughout the state. The legal notice provides reasonable opportunity for the public to participate when a proposed rule publishes in the Bulletin. Interested parties may submit written comments to the agency or request public hearings of the agency, if none have been scheduled. Such submissions or requests must be presented to the agency within the time and manner specified in the individual “Notice of Rulemaking - Proposed Rule” for each proposed rule that is published in the Bulletin.

Once the comment period closes, the agency considers fully all comments and information submitted regarding the proposed rule. Changes may be made to the proposed rule at this stage of the rulemaking, but changes must be based on comments received and must be a “logical outgrowth” of the proposed rule. The agency may now adopt and publish the pending rule. A pending rule is “pending” legislative review for final approval. The pending rule is the agency’s final version of the rulemaking that will be forwarded to the legislature for review and final approval. Comment periods and public hearings are not provided for when the agency adopts a temporary or pending rule.

## CITATION TO THE IDAHO ADMINISTRATIVE BULLETIN

The Bulletin is identified by the calendar year and issue number. For example, Bulletin **13-1** refers to the first Bulletin issued in calendar year **2013**; Bulletin **14-1** refers to the first Bulletin issued in calendar year **2014**. Volume numbers, which proceed from 1 to 12 in a given year, correspond to the months of publication, i.e.; Volume No. **13-1** refers to January 2013; Volume No. **13-2** refers to February 2013; and so forth. Example: The Bulletin published in January 2014 is cited as Volume **14-1**. The December 2015 Bulletin is cited as Volume **15-12**.

## RELATIONSHIP TO THE IDAHO ADMINISTRATIVE CODE

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

To determine if a particular rule remains in effect or whether any amendments have been made to the rule, refer to the **Cumulative Rulemaking Index**. Link to it on the Administrative Rules homepage at [adminrules.idaho.gov](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 2018**

<b>Vol. No.</b>	<b>Monthly Issue of Bulletin</b>	<b>Closing Date for Agency Filing</b>	<b>Publication Date</b>	<b>21-day Comment Period End Date</b>
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

**BULLETIN PUBLICATION SCHEDULE FOR CALENDAR YEAR 2019**

<b>Vol. No.</b>	<b>Monthly Issue of Bulletin</b>	<b>Closing Date for Agency Filing</b>	<b>Publication Date</b>	<b>21-day Comment Period End Date</b>
19-1	January 2019	<b>*November 30, 2018</b>	January 2, 2019	January 23, 2019
19-2	February 2019	January 4, 2019	February 6, 2019	February 27, 2019
19-3	March 2019	February 8, 2019	March 6, 2019	March 27, 2019
19-4	April 2019	March 8, 2019	April 3, 2019	April 24, 2019
19-5	May 2019	April 5, 2019	May 1, 2019	May 22, 2019
19-6	June 2019	May 3, 2019	June 5, 2019	June 26, 2019
19-7	July 2019	June 7, 2019	July 3, 2019	July 24, 2019
19-8	August 2019	July 5, 2019	August 7, 2019	August 28, 2019
19-9	September 2019	August 2, 2019	September 4, 2019	September 25, 2019
19-10	October 2019	<b>**August 30, 2019</b>	October 2, 2019	October 23, 2019
19-11	November 2019	October 4, 2019	November 6, 2019	November 27, 2019
19-12	December 2019	November 1, 2019	December 4, 2019	December 25, 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.***

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

**ADMINISTRATIVE RULES REVIEWED BY THE SIXTY-FIFTH LEGISLATURE  
OF THE STATE OF IDAHO, FIRST REGULAR SESSION – 2019**

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

**AUTHORITY:** In compliance with Sections 67-5224(5), 67-5224(7), 67-5226(3), and 67-5291, Idaho Code, the Administrative Rules Coordinator hereby gives notice that the standing committees of the Sixty-Fifth Legislature in the First Regular Session, 2019, completed the review of certain administrative rules of the state agencies of the executive branch. Additionally, in compliance with Section 67-5291, Idaho Code, this notice also serves as official notice of final rulemaking for those state agencies whose rules have been approved as final or rejected in whole or in part by concurrent resolution. The following is a brief explanation of the action taken by the legislature:

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

**DESCRIPTIVE SUMMARY:** The following tables list those rules that were reviewed as pending, pending fee, and temporary rules during the First Regular Session of the Sixty-Fifth Legislature of the state of Idaho, 2019.

All pending rules reviewed by the legislature that were not rejected in whole or in part have been approved and are now final and of full force and effect, unless otherwise specified in the rule. Any pending rule that was rejected in whole or in part is listed in this notice with the corresponding house or senate concurrent resolution affecting it. Pending rule dockets that were rejected in whole or any parts of any pending rule that were rejected, are null, void and of no force and effect. Those pending rules that were partially rejected by concurrent resolution are being promulgated as final rules and are reprinted in this Bulletin in their final, codified version. Those rules that were acted on by concurrent resolution became final and of full force and effect upon adoption of the concurrent resolution by both houses of the legislature, unless otherwise specified in the rule. The concurrent resolutions affecting the rules that were reviewed during the 2019 legislative session are also printed in this Bulletin.

In accordance with Section 67-5224(5)(c), Idaho Code, all pending rules imposing or changing a fee or charge that were approved by [Senate Concurrent Resolution \(SCR\) No. 114](#) are now final rules and are of full force and effect pursuant to the adoption of the concurrent resolution, unless another effective date has been specified in the pending rule and the concurrent resolution. Pursuant to SCR 114 those pending fee rules that were rejected in their entirety, and those parts of any pending fee rule that were rejected, are null, void and of no force and effect.

In accordance with Section 67-5226(3), Idaho Code, all temporary rules that were submitted for extension have been reviewed and approved by [Senate Concurrent Resolution \(SCR\) No. 113](#), with exceptions. As specified in the concurrent resolution, all temporary rules that were reviewed and extended will continue to be of full force and effect until the end of the next legislative session, unless they expire under their own terms or other provision of law or are rescinded, and any part of a temporary rule that was rejected is declared null, void and of no force and effect.

**TEMPORARY, PENDING, AND PENDING FEE RULES:** The following tables list all temporary, pending and pending fee rulemakings that were submitted for legislative review for the 2019 legislative session. The list includes the docket number of each pending fee, pending, and temporary rulemaking, the volume number of the Bulletin in which the proposed, pending, and temporary rule notices and text were published, the final effective dates of all approved pending fee and pending rules, the effective dates of any temporary rules, and the number of the senate or house concurrent resolution, if applicable, affecting the rulemaking. These tables provide final status of all pending, pending fee and temporary rules submitted for legislative review.

<b>TEMPORARY RULES</b> AFFECTED BY SENATE CONCURRENT RESOLUTION 113				
<b>Temporary Rule Docket Number</b>	<b>Bulletin Vol. No.</b>	<b>Temporary Effective Date</b>	<b>Rejected Rule</b>	<b>Action Taken in SCR 113</b>
11-0301-1801	18-1	(12-14-17)T		Approved
11-0403-1801	18-11	(9-17-18)T		Approved
11-0411-1802	18-11	(9-17-18)T		Approved
16-0315-1801	18-4, 19-1	(2-22-18)T, (1-1-19)T		Approved
16-0506-1901	19-1	(1-1-19)T		Approved
<b>25-0101-1802</b>	<b>18-6, 19-1</b>	<b>(3-28-18)T, (12-10-18)T</b>	<b>Entire Rulemaking</b>	<b>Rejected All</b>
<b>29-0103-1802</b>	<b>18-10</b>	<b>(8-29-18)T</b>	<b>Entire Rulemaking</b>	<b>Rejected All</b>
35-0101-1901	19-2	(1-4-19)T		Approved

<b>PENDING FEE RULES</b> AFFECTED BY SENATE CONCURRENT RESOLUTION 114				
<b>Fee Rule Docket Number</b>	<b>Bulletin Vol. No. Pending</b>	<b>Bulletin Vol. No. Proposed</b>	<b>Final Effective Date</b>	<b>Action Taken in SCR 114</b>
02-0601-1801	18-11	18-9	(4-1-19)	Fee Approved
07-0102-1801	18-11	18-9	(4-1-19)	Fee Approved
11-0201-1801	19-1	18-10	(4-1-19)	Fee Approved
16-0303-1801	19-1	18-10	(4-1-19)	Fee Approved
24-1201-1802	18-12	18-10	(4-1-19)	Fee Approved
24-1801-1802	18-12	18-10	(4-1-19)	Fee Approved
<b>24-2801-1802</b>	<b>18-12</b>	<b>18-10</b>	<b>(4-1-19)</b>	<b>Partial Rejection: 851.05, .06, &amp; .07</b>
<b>26-0110-1701</b>	<b>18-10</b>	<b>18-7</b>	<b>Rejected</b>	<b>Rejected All</b>
27-0102-1802	18-12	18-10	(4-1-19)	Fee Approved
39-0303-1801	18-12	18-10	(7-1-19)	Fee Approved

<b>PENDING RULES</b>					
<b>REVIEWED BY THE 2019 IDAHO LEGISLATURE</b>					
<b>Docket Number</b>	<b>Bulletin Vol. No. Pending</b>	<b>Bulletin Vol. No. Proposed</b>	<b>Final Rule Effective Date</b>	<b>Action Taken &amp; Rejected Rule</b>	<b>Concurrent Resolution Number</b>
01-0101-1801	18-12	18-9	(4-11-19)	Approved	
01-0101-1802	18-12	18-9	(4-11-19)	Approved	
02-0214-1801	18-9	18-6	(4-11-19)	Approved	
02-0408-1801	18-11	18-9	(4-11-19)	Approved	
02-0409-1801	18-11	18-9	(4-11-19)	Approved	
02-0413-1801	18-11	18-9	(4-11-19)	Approved	
02-0429-1801	18-11	18-9	(4-11-19)	Approved	
02-0501-1801	18-9	18-7	(4-11-19)	Approved	
02-0602-1801	18-11	18-9	(4-11-19)	Approved	
02-0612-1801	18-11	18-9	(4-11-19)	Approved	
02-0641-1801	18-11	18-9	(4-11-19)	Approved	
02-0801-1801	19-1	18-11	(4-11-19)	Approved	
07-0101-1801	18-11	18-9	(4-11-19)	Approved	
07-0103-1801	18-11	18-9	(4-11-19)	Approved	
07-0103-1802	18-11	18-9	(4-11-19)	Approved	
07-0104-1801	18-11	18-9	(4-11-19)	Approved	
07-0105-1801	18-11	18-9	(4-11-19)	Approved	
07-0106-1801	18-11	18-9	(4-11-19)	Approved	
07-0107-1801	18-11	18-9	(4-11-19)	Approved	
07-0108-1801	18-11	18-9	(4-11-19)	Approved	
07-0111-1801	18-11	18-9	(4-11-19)	Approved	
<b>07-0206-1702</b>	<b>18-10</b>	<b>18-8</b>	<b>(3-25-19)</b>	<b>Partial Rejection: 011.35</b>	<b>SCR 106</b>
07-0301-1801	18-12	18-10	(4-11-19)	Approved	
07-0501-1801	18-10	18-8	(4-11-19)	Approved	
07-0701-1703	18-10	18-8	(4-11-19)	Approved	
07-1001-1801	18-11	18-9	(4-11-19)	Approved	
08-0104-1801	19-1	18-10	(4-11-19)	Approved	
08-0202-1801	19-1	18-8	(4-11-19)	Approved	
08-0202-1803	19-1	18-10	(4-11-19)	Approved	

<b>PENDING RULES</b>					
<b>REVIEWED BY THE 2019 IDAHO LEGISLATURE</b>					
<b>Docket Number</b>	<b>Bulletin Vol. No. Pending</b>	<b>Bulletin Vol. No. Proposed</b>	<b>Final Rule Effective Date</b>	<b>Action Taken &amp; Rejected Rule</b>	<b>Concurrent Resolution Number</b>
08-0202-1804	19-1	18-10	(4-11-19)	Approved	
08-0203-1801	18-12	18-8	(4-11-19)	Approved	
08-0203-1803	19-1	18-10	(4-11-19)	Approved	
08-0203-1804	19-1	18-10	(4-11-19)	Approved	
08-0203-1805	18-12	18-8	(4-11-19)	Approved	
08-0501-1801	19-1	18-10	(4-11-19)	Approved	
10-0101-1801	18-10	18-8	(4-11-19)	Approved	
10-0102-1801	18-10	18-8	(4-11-19)	Approved	
12-0108-1801	18-11	18-8	(4-11-19)	Approved	
12-0109-1801	18-11	18-9	(4-11-19)	Approved	
12-0110-1801	18-11	18-9	(4-11-19)	Approved	
12-0111-1801	18-11	18-9	(4-11-19)	Approved	
13-0102-1801	19-1	18-7	(4-11-19)	Approved	
13-0108-1802	19-1	18-10	(4-11-19)	Approved	
13-0108-1803	19-1	18-10	(4-11-19)	Approved	
13-0108-1804	19-1	18-10	(4-11-19)	Approved	
13-0108-1805	19-1	18-10	(4-11-19)	Approved	
13-0109-1803	19-1	18-7	(4-11-19)	Approved	
13-0109-1805	19-1	18-10	(4-11-19)	Approved	
<b>13-0110-1801</b>	<b>19-1</b>	<b>18-9</b>	<b>Rejected</b>	<b>Rejected All</b>	<b>HCR 7</b>
13-0110-1802	19-1	18-10	(4-11-19)	Approved	
13-0116-1802	19-1	18-10	(4-11-19)	Approved	
13-0116-1803	19-1	18-7	(4-11-19)	Approved	
13-0117-1801	19-1	18-10	(4-11-19)	Approved	
13-0117-1802	19-1	18-9	(4-11-19)	Approved	
13-0118-1801	19-1	18-9	(4-11-19)	Approved	
16-0102-1801	19-1	18-7	(4-11-19)	Approved	
16-0103-1801	19-1	18-7	(4-11-19)	Approved	
16-0107-1801	19-1	18-7	(4-11-19)	Approved	
16-0201-1801	19-1	18-10	(7-1-19)	Approved	
16-0202-1801	19-1	18-10	(7-1-19)	Approved	

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16-0208-1801	19-1	18-5	(4-11-19)	Approved	
16-0208-1802	19-1	18-9	(4-11-19)	Approved	
16-0211-1801	19-1	18-7	(4-11-19)	Approved	
16-0215-1801	19-1	18-7	(4-11-19)	Approved	
16-0215-1802	19-1	18-9	(4-11-19)	Approved	
16-0304-1801	18-12	18-10	(4-11-19)	Approved	
16-0308-1801	18-12	18-10	(4-11-19)	Approved	
16-0309-1801	19-1	18-10	(4-11-19)	Approved	
16-0309-1802	18-12	18-7	(4-11-19)	Approved	
16-0309-1804	19-1	18-10	(7-1-19)	Approved	
16-0309-1805	19-1	18-10	(7-1-19)	Approved	
16-0309-1806	19-1	18-10	(4-11-19)	Approved	
16-0309-1807	19-1	18-10	(4-11-19)	Approved	
16-0309-1808	19-1	18-10	(7-1-19)	Approved	
16-0309-1809	18-11	18-8	(4-11-19)	Approved	
16-0309-1810	19-1	18-10	(7-1-19)	Approved	
16-0310-1801	18-11	18-8	(4-11-19)	Approved	
16-0310-1802	18-12	18-9	(4-11-19)	Approved	
16-0310-1803	18-12	18-9	(7-1-19)	Approved	
16-0310-1804	18-12	18-9	(7-1-19)	Approved	
16-0310-1805	18-12	18-7	(4-11-19)	Approved	
16-0310-1807	19-1	18-10	(4-11-19)	Approved	
16-0314-1801	19-1	18-9	(7-1-19)	Approved	
16-0504-1801	19-1	18-10	(7-1-19)	Approved	
16-0506-1801	18-10	18-7	(4-11-19)	Approved	
16-0612-1801	18-12	18-9	(4-11-19)	Approved	
16-0737-1801	18-12	18-9	(7-1-19)	Approved	
16-0750-1801	19-1	18-9	(7-1-19)	Approved	
17-0206-1801	18-12	18-10	(4-11-19)	Approved	
17-0207-1801	18-12	18-10	(4-11-19)	Approved	
17-0210-1801	18-12	18-10	(4-11-19)	Approved	

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17-0210-1802	18-12	18-10	(4-11-19)	Approved	
17-0211-1801	18-12	18-10	(4-11-19)	Approved	
17-0211-1802	18-12	18-10	(4-11-19)	Approved	
18-0106-1801	18-11	18-9	(4-11-19)	Approved	
18-0123-1801	18-11	18-9	(4-11-19)	Approved	
18-0124-1801	18-11	18-9	(4-11-19)	Approved	
18-0130-1801	18-12	18-10	(4-11-19)	Approved	
18-0149-1801	18-11	18-9	(4-11-19)	Approved	
18-0154-1801	18-11	18-9	(4-11-19)	Approved	
18-0162-1801	18-11	18-9	(4-11-19)	Approved	
18-0170-1801	18-12	18-10	(4-11-19)	Approved	
19-0101-1801	18-9	18-5	(4-11-19)	Approved	
19-0101-1803	18-12	18-9	(4-11-19)	Approved	
19-0101-1804	18-12	18-9	(4-11-19)	Approved	
20-0301-1801	18-12	18-9	(4-11-19)	Approved	
20-0302-1801	18-12	18-9	(4-11-19)	Approved	
20-0304-1801	18-12	18-9	(4-11-19)	Approved	
20-0401-1701	19-1	18-8	(4-11-19)	Approved	
22-0101-1801	19-1	18-11	(4-11-19)	Approved	
22-0102-1801	19-1	18-11	(4-11-19)	Approved	
22-0103-1801	19-1	18-11	(4-11-19)	Approved	
22-0104-1801	19-1	18-11	(4-11-19)	Approved	
22-0105-1801	19-1	18-11	(4-11-19)	Approved	
22-0107-1801	19-1	18-11	(4-11-19)	Approved	
22-0114-1801	19-1	18-11	(4-11-19)	Approved	
22-0115-1801	19-1	18-11	(4-11-19)	Approved	
23-0101-1801	18-12	18-9	(4-11-19)	Approved	
24-0101-1801	18-12	18-8	(4-11-19)	Approved	
24-0301-1801	18-12	18-10	(4-11-19)	Approved	
24-0501-1801	18-12	18-10	(4-11-19)	Approved	
24-0601-1801	18-12	18-10	(4-11-19)	Approved	

<b>PENDING RULES</b>					
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<b>Docket Number</b>	<b>Bulletin Vol. No. Pending</b>	<b>Bulletin Vol. No. Proposed</b>	<b>Final Rule Effective Date</b>	<b>Action Taken &amp; Rejected Rule</b>	<b>Concurrent Resolution Number</b>
24-0801-1801	18-12	18-10	(4-11-19)	Approved	
24-0901-1801	18-12	18-7	(4-11-19)	Approved	
24-0901-1802	18-12	18-10	(4-11-19)	Approved	
24-1101-1801	18-12	18-10	(4-11-19)	Approved	
24-1301-1801	18-12	18-10	(4-11-19)	Approved	
24-1401-1801	18-12	18-10	(4-11-19)	Approved	
24-1501-1801	18-12	18-8	(4-11-19)	Approved	
24-1501-1802	18-12	18-10	(4-11-19)	Approved	
24-1701-1801	18-12	18-10	(4-11-19)	Approved	
24-1801-1801	18-12	18-6	(4-11-19)	Approved	
24-1901-1801	18-12	18-10	(4-11-19)	Approved	
24-2301-1801	18-12	18-7	(4-11-19)	Approved	
24-2501-1801	18-12	18-10	(4-11-19)	Approved	
24-2601-1801	18-12	18-10	(4-11-19)	Approved	
26-0120-1701	18-10	18-7	(4-11-19)	Approved	
26-0123-1701	18-10	18-7	(4-11-19)	Approved	
27-0101-1801	18-12	18-10	(4-11-19)	Approved	
27-0103-1801	18-12	18-10	(4-11-19)	Approved	
27-0104-1802	18-12	18-10	(4-11-19)	Approved	
27-0105-1801	18-12	18-10	(4-11-19)	Approved	
27-0106-1801	18-12	18-10	(4-11-19)	Approved	
28-0203-1802	19-1	18-10	(4-11-19)	Approved	
30-0101-1801	18-9	18-7	(4-11-19)	Approved	
31-1101-1801	18-12	18-10	(4-11-19)	Approved	
31-7103-1801	18-12	18-10	(4-11-19)	Approved	
34-0602-1801	19-1	18-8	(4-11-19)	Approved	
<b>35-0101-1801</b>	<b>19-1</b>	<b>18-8</b>	<b>(3-26-19)</b>	<b>Partial Rejection: 015.02</b>	<b>SCR 109</b>
35-0101-1804	19-1	18-10	(4-11-19)	Approved	
35-0102-1801	19-1	18-8	(4-11-19)	Approved	
35-0102-1802	19-1	18-10	(4-11-19)	Approved	

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<b>35-0102-1803</b>	<b>19-1</b>	<b>18-10</b>	<b>(3-26-19)</b>	<b>Partial Rejection: 106.05.b.</b>	<b>SCR 108</b>
<b>35-0103-1801</b>	<b>19-1</b>	<b>18-9</b>	<b>(3-26-19)</b>	<b>Partial Rejection: 613, 614</b>	<b>SCR 107</b>
35-0103-1802	19-1	18-9	(4-11-19)	Approved	
<b>35-0103-1803</b>	<b>19-1</b>	<b>18-9</b>	<b>Rejected</b>	<b>Rejected All</b>	<b>HCR 17</b>
35-0105-1801	19-1	18-8	(4-11-19)	Approved	
35-0106-1801	19-1	18-9	(4-11-19)	Approved	
35-0109-1801	19-1	18-6	(4-11-19)	Approved	
35-0110-1801	19-1	18-9	(4-11-19)	Approved	
35-0110-1802	19-1	18-6	(4-11-19)	Approved	
35-0114-1801	19-1	18-9	(4-11-19)	Approved	
35-0201-1801	19-1	18-10	(4-11-19)	Approved	
38-0409-1802	18-11	18-9	(4-11-19)	Approved	
<b>38-0501-1801</b>	<b>18-12</b>	<b>18-10</b>	<b>(3-20-19)</b>	<b>Partial Rejection: 114.02.b.</b>	<b>SCR 103</b>
39-0246-1801	18-11	18-9	(4-11-19)	Approved	
39-0261-1801	18-9	18-7	(4-11-19)	Approved	
39-0301-1801	18-12	18-10	(7-1-19)	Approved	
39-0301-1802	18-12	18-10	(7-1-19)	Approved	
39-0302-1801	18-12	18-10	(7-1-19)	Approved	
39-0304-1801	18-12	18-10	(7-1-19)	Approved	
39-0304-1802	18-12	18-10	(7-1-19)	Approved	
39-0305-1801	18-12	18-10	(7-1-19)	Approved	
39-0305-1802	18-12	18-10	(7-1-19)	Approved	
39-0306-1801	18-12	18-10	(7-1-19)	Approved	
39-0306-1802	18-12	18-10	(7-1-19)	Approved	
39-0307-1801	18-12	18-10	(7-1-19)	Approved	
39-0307-1802	18-12	18-10	(7-1-19)	Approved	
39-0308-1801	18-12	18-10	(7-1-19)	Approved	
39-0309-1801	18-12	18-10	(7-1-19)	Approved	
39-0310-1801	18-12	18-10	(7-1-19)	Approved	

<b>PENDING RULES</b>					
<b>REVIEWED BY THE 2019 IDAHO LEGISLATURE</b>					
<b>Docket Number</b>	<b>Bulletin Vol. No. Pending</b>	<b>Bulletin Vol. No. Proposed</b>	<b>Final Rule Effective Date</b>	<b>Action Taken &amp; Rejected Rule</b>	<b>Concurrent Resolution Number</b>
39-0311-1801	18-12	18-10	(7-1-19)	Approved	
39-0312-1801	18-12	18-10	(7-1-19)	Approved	
39-0313-1801	18-12	18-10	(7-1-19)	Approved	
39-0314-1801	18-12	18-10	(7-1-19)	Approved	
39-0315-1801	18-12	18-10	(7-1-19)	Approved	
39-0316-1801	18-12	18-10	(7-1-19)	Approved	
39-0317-1801	18-12	18-10	(7-1-19)	Approved	
39-0318-1801	18-12	18-10	(7-1-19)	Approved	
39-0319-1801	18-12	18-10	(7-1-19)	Approved	
39-0320-1801	18-12	18-10	(7-1-19)	Approved	
39-0321-1801	18-12	18-10	(7-1-19)	Approved	
39-0322-1801	18-12	18-10	(7-1-19)	Approved	
39-0323-1801	18-12	18-10	(7-1-19)	Approved	
39-0324-1801	18-12	18-10	(7-1-19)	Approved	
39-0325-1801	18-12	18-10	(7-1-19)	Approved	
39-0341-1801	18-9	18-7	(4-11-19)	Approved	
39-0348-1801	18-11	18-9	(4-11-19)	Approved	
40-0101-1801	18-11	18-9	(4-11-19)	Approved	
<b>47-0102-1801</b>	<b>19-1</b>	<b>18-10</b>	<b>(3-20-19)</b>	<b>Partial Rejection: 500.03.c.</b>	<b>HCR 18</b>
49-0101-1801	18-12	18-10	(4-11-19)	Approved	
52-0103-1801	18-11	18-8	(4-11-19)	Approved	
58-0101-1801	18-12	18-8	(4-11-19)	Approved	
58-0101-1803	18-12	18-8	(4-11-19)	Approved	
58-0101-1804	18-12	18-8	(4-11-19)	Approved	
58-0102-1703	18-12	18-8	(4-11-19)	Approved	
58-0102-1802	18-12	18-9	(4-11-19)	Approved	
58-0102-1803	18-12	18-9	(4-11-19)	Approved	
58-0105-1801	18-12	18-8	(4-11-19)	Approved	
58-0124-1801	18-12	18-9	(4-11-19)	Approved	
58-0125-1801	18-12	18-6	(4-11-19)	Approved	

<b>PENDING RULES</b>					
<b>REVIEWED BY THE 2019 IDAHO LEGISLATURE</b>					
Docket Number	Bulletin Vol. No. Pending	Bulletin Vol. No. Proposed	Final Rule Effective Date	Action Taken & Rejected Rule	Concurrent Resolution Number
59-0103-1801	18-12	18-6	(4-11-19)	Approved	
59-0105-1801	18-9	18-6	(4-11-19)	Approved	
59-0106-1801	18-9	18-6	(4-11-19)	Approved	
59-0106-1802	18-12	18-10	(4-11-19)	Approved	
<b>60-0501-1801</b>	<b>18-12</b>	<b>18-10</b>	<b>(3-28-19)</b>	<b>Partial Rejection: 103 section name subtext, 151.01</b>	<b>SCR 110</b>
61-0102-1801	19-1	18-9	(5-1-19)	Approved	
61-0103-1801	19-1	18-9	(5-1-19)	Approved	
61-0104-1801	19-1	18-10	(4-11-19)	Approved	
61-0108-1801	19-1	18-9	(5-1-19)	Approved	

**ASSISTANCE ON TECHNICAL QUESTIONS:** For assistance on questions concerning this notice, contact Dennis Stevenson (208) 332-1820.

DATED this 20th day of April, 2019.

Dennis Stevenson  
 Administrative Rules Coordinator  
 Office of the Administrative Rules Coordinator  
 Department of Administration  
 P.O. Box 83720, Boise, ID 83720-0306  
 Phone: (208) 332-1820

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

**HISTORY NOTES INDEX OF ADMINISTRATIVE RULES REVIEWED AND APPROVED  
FOR FINAL ADOPTION DURING THE 2019 FIRST REGULAR SESSION  
OF THE SIXTY-FIFTH LEGISLATURE OF THE STATE OF IDAHO**

The following table lists all pending rulemakings that were reviewed during the 2019 legislative session and shows the individual rule sections that were affected by these rulemakings. The table includes the docket number of affected chapters, the amended section numbers, the Bulletin publication volumes, and the final effective date of the rule.

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

Effective dates for the pending rules reviewed and approved by the 2019 Idaho Legislature are as follows:

**Pending Rules (non-fee):** effective date – April 11, 2019 (4-11-19), unless otherwise specified in the pending rule.

**Pending Fee Rules** approved or partially rejected by [SCR 114](#): effective date – April 1, 2019 (4-1-19), unless otherwise specified in the pending fee rule.

Pending Rules that were partially rejected by Concurrent Resolution are effective upon adoption of the Concurrent Resolution by the Legislature or as specified in the Pending Rule. All pending rules rejected by Concurrent Resolution are null and void and of no force and effect.

<i><b>History Notes of Sections Affected – Legislative Session 2019</b></i>				
<i><b>Chapter and Docket Number</b></i>	<i><b>Sections Affected</b></i>	<i><b>Bulletin Vol. Proposed Rule</b></i>	<i><b>Bulletin Vol. Pending Rule</b></i>	<i><b>Final Effective Date</b></i>
<b>IDAPA 01 – Idaho Board of Accountancy</b>				
<b>01.01.01 – Idaho Accountancy Rules</b>				
01-0101-1801	606, 617	18-9	18-12	(4-11-19)
01-0101-1802	108, 304, 502	18-9	18-12	(4-11-19)
<b>IDAPA 02 – Department of Agriculture</b>				
<b>02.02.14 – Rules for Weights and Measures</b>				
02-0214-1801	004	18-6	18-9	(4-11-19)
<b>02.04.08 – Rules Governing Grade A Milk and Milk Products</b>				
02-0408-1801	004	18-9	18-11	(4-11-19)
<b>02.04.09 – Rules Governing Milk and Cream Procurement and Testing</b>				
02-0409-1801	008, 120, 121, 302, 303	18-9	18-11	(4-11-19)
<b>02.04.13 – Rules Governing Raw Milk</b>				
02-0413-1801	004, 010, 020-030	18-9	18-11	(4-11-19)

## *History Notes of Sections Affected – Legislative Session 2019*

<i>Chapter and Docket Number</i>	<i>Sections Affected</i>	<i>Bulletin Vol. Proposed Rule</i>	<i>Bulletin Vol. Pending Rule</i>	<i>Final Effective Date</i>
<b>02.04.29 – Rules Governing Trichomoniasis</b>				
02-0429-1801	004	18-9	18-11	(4-11-19)
<b>02.05.01 – Rules Governing Produce Safety</b>				
02-0501-1801	New Chapter (000-999)	18-7	18-9	(4-11-19)
<b>02.06.01 – Rules Governing the Pure Seed Law</b>				
02-0601-1801	501, 502 (Fee approved by <a href="#">SCR 114</a> )	18-9	18-11	(4-1-19)
<b>02.06.02 – Rules Pertaining to the Idaho Commercial Feed Law</b>				
02-0602-1801	004	18-9	18-11	(4-11-19)
<b>02.06.12 – Rules Pertaining to the Idaho Fertilizer Law</b>				
02-0612-1801	004	18-9	18-11	(4-11-19)
<b>02.06.41 – Rules Pertaining to the Idaho Soil and Plant Amendment Act of 2001</b>				
02-0641-1801	004	18-9	18-11	(4-11-19)
<b>02.08.01 – Sheep and Goat Rules of the Idaho Sheep and Goat Health Board</b>				
02-0801-1801	701	18-11	19-1	(4-11-19)

### **IDAPA 07 – Division of Building Safety**

<b>07.01.01 – Rules Governing Electrical Inspection Tags</b>				
07-0101-1801	000, 001, 004-015	18-9	18-11	(4-11-19)
<b>07.01.02 – Rules Governing Fees for Electrical Inspections</b>				
07-0102-1801	001, 004-011 (Fee approved by <a href="#">SCR 114</a> )	18-9	18-11	(4-1-19)
<b>07.01.03 – Rules of Electrical Licensing and Registration – General</b>				
07-0103-1801	012	18-9	18-11	(4-11-19)
07-0103-1802	004-011	18-9	18-11	(4-11-19)
<b>07.01.04 – Rules Governing Electrical Specialty Licensing</b>				
07-0104-1801	001, 004-006, 012-017	18-9	18-11	(4-11-19)
<b>07.01.05 – Rules Governing Examinations</b>				
07-0105-1801	004-011	18-9	18-11	(4-11-19)
<b>07.01.06 – Rules Governing the Use of National Electrical Code</b>				
07-0106-1801	004-011	18-9	18-11	(4-11-19)
<b>07.01.07 – Rules Governing Continuing Education Requirements</b>				
07-0107-1801	004-012	18-9	18-11	(4-11-19)

## *History Notes of Sections Affected – Legislative Session 2019*

<i>Chapter and Docket Number</i>	<i>Sections Affected</i>	<i>Bulletin Vol. Proposed Rule</i>	<i>Bulletin Vol. Pending Rule</i>	<i>Final Effective Date</i>
<b>07.01.08 – Rules Governing Electrical Inspection Tag Appeals</b>				
07-0108-1801	000-011	18-9	18-11	(4-11-19)
<b>07.01.11 – Rules Governing Civil Penalties</b>				
07-0111-1801	006-011	18-9	18-11	(4-11-19)
<b>07.02.06 – Rules Concerning Idaho State Plumbing Code</b>				
07-0206-1702	011 (Pending Rule Subsection 011.35 rejected by <a href="#">SCR 106</a> )	18-8	18-10	(3-25-19)
<b>07.03.01 – Rules of Building Safety</b>				
07-0301-1801	004	18-10	18-12	(4-11-19)
<b>07.05.01 – Rules of the Public Works Contractors License Board</b>				
07-0501-1801	010, 113	18-8	18-10	(4-11-19)
<b>07.07.01 – Rules Governing Installation of Heating, Ventilation, and Air Conditioning Systems, Division of Building Safety</b>				
07-0701-1703	023	18-8	18-10	(4-11-19)
<b>07.10.01 – Rules Governing the Damage Prevention Board, Division of Building Safety</b>				
07-1001-1801	003, 007, 008, 020	18-9	18-11	(4-11-19)

### **IDAPA 08 – State Board of Education / State Department of Education**

<b>08.01.04 – Residency</b>				
08-0104-1801	001, 010-100, 102	18-10	19-1	(4-11-19)
<b>08.02.02 – Rules Governing Uniformity</b>				
08-0202-1801	004, 007, 015, 021-060, 075	18-8	19-1	(4-11-19)
08-0202-1803	007-012, 015-017, 042, 100	18-10	19-1	(4-11-19)
08-0202-1804	028	18-10	19-1	(4-11-19)
<b>08.02.03 – Rules Governing Thoroughness</b>				
08-0203-1801	004	18-8	18-12	(4-11-19)
08-0203-1803	104, 105	18-10	19-1	(4-11-19)
08-0203-1804	004	18-10	19-1	(4-11-19)
08-0203-1805	004, 112	18-8	18-12	(4-11-19)
<b>08.05.01 – Rules Governing Seed and Plant Certification</b>				
08-0501-1801	004	18-10	19-1	(4-11-19)

## *History Notes of Sections Affected – Legislative Session 2019*

<i>Chapter and Docket Number</i>	<i>Sections Affected</i>	<i>Bulletin Vol. Proposed Rule</i>	<i>Bulletin Vol. Pending Rule</i>	<i>Final Effective Date</i>
<b>IDAPA 10 – Board of Professional Engineers and Land Surveyors</b>				
<b>10.01.01 – Rules of Procedure</b>				
10-0101-1801	016-020	18-8	18-10	(4-11-19)
<b>10.01.02 – Rules of Professional Responsibility</b>				
10-0102-1801	005	18-8	18-10	(4-11-19)

<b>IDAPA 11 – Idaho State Police</b>				
<b>11.02.01 – Rules of the Idaho State Brand Board</b>				
11-0201-1801	004, 034, 050 (Fee approved by <a href="#">SCR 114</a> )	18-10	19-1	(4-1-19)

<b>IDAPA 12 – Department of Finance</b>				
<b>12.01.08 – Rules Pursuant to the Uniform Securities Act (2004)</b>				
12-0108-1801	059, 103	18-8	18-11	(4-11-19)
<b>12.01.09 – Rules Pursuant to the Idaho Credit Code</b>				
12-0109-1801	005, 006	18-9	18-11	(4-11-19)
<b>12.01.10 – Rules Pursuant to the Idaho Residential Mortgage Practices Act</b>				
12-0110-1801	005	18-9	18-11	(4-11-19)
<b>12.01.11 – Rules Pursuant to the Idaho Collection Agency Act</b>				
12-0111-1801	New Chapter (000-999)	18-9	18-11	(4-11-19)

<b>IDAPA 13 – Department of Fish and Game</b>				
<b>13.01.02 – Rules Governing Mandatory Education and Mentored Hunting</b>				
13-0102-1801	000, 101	18-7	19-1	(4-11-19)
<b>13.01.08 – Rules Governing the Taking of Big Game Animals in the State of Idaho</b>				
13-0108-1802	260	18-10	19-1	(4-11-19)
13-0108-1803	260	18-10	19-1	(4-11-19)
13-0108-1804	410	18-10	19-1	(4-11-19)
13-0108-1805	260	18-10	19-1	(4-11-19)
<b>13.01.09 – Rules Governing the Taking of Game Birds in the State of Idaho</b>				
13-0109-1803	100	18-7	19-1	(4-11-19)
13-0109-1805	100	18-10	19-1	(4-11-19)

## *History Notes of Sections Affected – Legislative Session 2019*

<i>Chapter and Docket Number</i>	<i>Sections Affected</i>	<i>Bulletin Vol. Proposed Rule</i>	<i>Bulletin Vol. Pending Rule</i>	<i>Final Effective Date</i>
<b>13.01.10 – Rules Governing the Importation, Possession, Release, Sale, or Salvage of Wildlife</b>				
13-0110-1801	700 (Pending rule rejected by <a href="#">HCR 7</a> )	18-9	19-1	Null & Void
13-0110-1802	300, 301	18-10	19-1	(4-11-19)
<b>13.01.16 – The Trapping of Predatory and Unprotected Wildlife and the Taking of Furbearing Animals</b>				
13-0116-1802	400	18-10	19-1	(4-11-19)
13-0116-1803	400	18-7	19-1	(4-11-19)
<b>13.01.17 – Rules Governing the Use of Bait and Trapping for Taking Big Game Animals</b>				
13-0117-1801	400	18-10	19-1	(4-11-19)
13-0117-1802	100	18-9	19-1	(4-11-19)
<b>13.01.18 – Rules Governing Emergency Feeding of Antelope, Elk, and Deer of the Idaho Fish and Game Commission</b>				
13-0118-1801	000, 001, 100, 102, 200	18-9	19-1	(4-11-19)

### **IDAPA 16 – Department of Health and Welfare**

<b>16.01.02 – Emergency Medical Services (EMS) – Rule Definitions</b>				
16-0102-1801	010	18-7	19-1	(4-11-19)
<b>16.01.03 – Emergency Medical Services (EMS) – Agency Licensing Requirements</b>				
16-0103-1801	202, 301, 302, 306	18-7	19-1	(4-11-19)
<b>16.01.07 – Emergency Medical Services (EMS) – Personnel Licensing Requirements</b>				
16-0107-1801	151	18-7	19-1	(4-11-19)
<b>16.02.01 – Rules of the Idaho Time Sensitive Emergency System Council</b>				
16-0201-1801	004, 200, 285	18-10	19-1	(7-1-19)
<b>16.02.02 – Rules of the Idaho Emergency Medical Services (EMS) Physician Commission</b>				
16-0202-1801	004	18-10	19-1	(7-1-19)
<b>16.02.08 – Vital Statistics Rules</b>				
16-0208-1801	201	18-5	19-1	(4-11-19)
16-0208-1802	251	18-9	19-1	(4-11-19)
<b>16.02.11 – Immunization Requirements for Children Attending Licensed Daycare Facilities in Idaho</b>				
16-0211-1801	110	18-7	19-1	(4-11-19)
<b>16.02.15 – Immunization Requirements for Idaho School Children</b>				
16-0215-1801	110	18-7	19-1	(4-11-19)
16-0215-1802	100-200	18-9	19-1	(4-11-19)

## *History Notes of Sections Affected – Legislative Session 2019*

<i>Chapter and Docket Number</i>	<i>Sections Affected</i>	<i>Bulletin Vol. Proposed Rule</i>	<i>Bulletin Vol. Pending Rule</i>	<i>Final Effective Date</i>
<b>16.03.03 – Rules Governing Child Support Services</b>				
16-0303-1801	304 (Fee approved by <b>SCR 114</b> )	18-10	19-1	(4-1-19)
<b>16.03.04 – Rules Governing the Food Stamp Program in Idaho</b>				
16-0304-1801	012, 014, 227, 251, 255, 284, 382, 426, 429	18-10	18-12	(4-11-19)
<b>16.03.08 – Rules Governing the Temporary Assistance for Families in Idaho (TAFI) Program</b>				
16-0308-1801	010, 125, 142, 215, 240	18-10	18-12	(4-11-19)
<b>16.03.09 – Medicaid Basic Plan Benefits</b>				
16-0309-1801	405	18-10	19-1	(4-11-19)
16-0309-1802	399, 800-804, 806	18-7	18-12	(4-11-19)
16-0309-1804	650-656	18-10	19-1	(7-1-19)
16-0309-1805	562	18-10	19-1	(7-1-19)
16-0309-1806	662-666	18-10	19-1	(4-11-19)
16-0309-1807	873	18-10	19-1	(4-11-19)
16-0309-1808	850, 852, 853, 855	18-10	19-1	(7-1-19)
16-0309-1809	855	18-8	18-11	(4-11-19)
16-0309-1810	215	18-10	19-1	(7-1-19)
<b>16.03.10 – Medicaid Enhanced Plan Benefits</b>				
16-0310-1801	076-079	18-8	18-11	(4-11-19)
16-0310-1802	326, 329, 350, 703, 705	18-9	18-12	(4-11-19)
16-0310-1803	270	18-9	18-12	(7-1-19)
16-0310-1804	090-096	18-9	18-12	(7-1-19)
16-0310-1805	001, 075, 080-087, 624	18-7	18-12	(4-11-19)
16-0310-1807	310, 319, 645	18-10	19-1	(4-11-19)
<b>16.03.14 – Rules and Minimum Standards for Hospitals in Idaho</b>				
16-0314-1801	002-011, 220-250, 470, 996-999	18-9	19-1	(7-1-19)
<b>16.05.04 – Rules of the Idaho Council on Domestic Violence and Victim Assistance Grant Funding</b>				
16-0504-1801	004	18-10	19-1	(7-1-19)
<b>16.05.06 – Criminal History and Background Checks</b>				
16-0506-1801	100, 126, 200	18-7	18-10	(4-11-19)
<b>16.06.12 – Rules Governing the Idaho Child Care Program (ICCP)</b>				
16-0612-1801	009, 503, 600, 602, 704, 810	18-9	18-12	(4-11-19)

## *History Notes of Sections Affected – Legislative Session 2019*

<i>Chapter and Docket Number</i>	<i>Sections Affected</i>	<i>Bulletin Vol. Proposed Rule</i>	<i>Bulletin Vol. Pending Rule</i>	<i>Final Effective Date</i>
<b>16.07.37 – Children's Mental Health Services</b>				
16-0737-1801	107, 236	18-9	18-12	(7-1-19)
<b>16.07.50 – Minimum Standards for Nonhospital, Medically Monitored Detoxification/ Mental Health Diversion Units</b>				
16-0750-1801	000, 004, 005, 010-110, 116-120, 130-150, 160, 170, 171, 185, 210-215, 230, 231, 235, 245-260, 270-274, 295, 301, 320, 330-425, 500, 520, 601, 620-640, 655, 685	18-9	19-1	(7-1-19)

### **IDAPA 17 – Industrial Commission**

<b>17.02.06 – Employers' Reports</b>				
17-0206-1801	021	18-10	18-12	(4-11-19)
<b>17.02.07 – Procedures to Obtain Compensation</b>				
17-0207-1801	002, 004, 010, 012	18-10	18-12	(4-11-19)
<b>17.02.10 – Administrative Rules of the Industrial Commission Under the Workers' Compensation Law – Security for Compensation – Insurance Carriers</b>				
17-0210-1801	051	18-10	18-12	(4-11-19)
17-0210-1802	051	18-10	18-12	(4-11-19)
<b>17.02.11 – Administrative Rules of the Industrial Commission Under The Workers' Compensation Law – Security for Compensation – Self-Insured Employers</b>				
17-0211-1801	051	18-10	18-12	(4-11-19)
17-0211-1802	051	18-10	18-12	(4-11-19)

### **IDAPA 18 – Department of Insurance**

<b>18.01.06 – Rule to Implement Uniform Coverage for Newborn and Newly Adopted Children</b>				
18-0106-1801	012	18-9	18-11	(4-11-19)
<b>18.01.23 – Rules Pertaining to Idaho Acquisitions of Control and Insurance Holding Company Systems</b>				
18-0123-1801	027	18-9	18-11	(4-11-19)
<b>18.01.24 – Advertisement of Disability (Accident and Sickness) Insurance</b>				
18-0124-1801	025	18-9	18-11	(4-11-19)
<b>18.01.30 – Individual Disability and Group Supplemental Disability Insurance Minimum Standards Rule</b>				
18-0130-1801	011	18-10	18-12	(4-11-19)
<b>18.01.49 – Fire Protection Sprinkler Contractors</b>				
18-0149-1801	011, 020, 021	18-9	18-11	(4-11-19)

## *History Notes of Sections Affected – Legislative Session 2019*

<i>Chapter and Docket Number</i>	<i>Sections Affected</i>	<i>Bulletin Vol. Proposed Rule</i>	<i>Bulletin Vol. Pending Rule</i>	<i>Final Effective Date</i>
<b>18.01.54 – Rule to Implement the NAIC Medicare Supplement Insurance Minimum Standards Model Act</b>				
18-0154-1801	001, 004, 011, 023-086	18-9	18-11	(4-11-19)
<b>18.01.62 – Annual Financial Reporting</b>				
18-0162-1801	026	18-9	18-11	(4-11-19)
<b>18.01.70 – Rules Governing Small Employer Health Insurance Availability Act Plan Design</b>				
18-0170-1801	016	18-10	18-12	(4-11-19)

### **IDAPA 19 – Board of Dentistry**

<b>19.01.01 – Rules of the Idaho State Board of Dentistry</b>				
19-0101-1801	004, 060	18-5	18-9	(4-11-19)
19-0101-1803	054, 055	18-9	18-12	(4-11-19)
19-0101-1804	045, 046	18-9	18-12	(4-11-19)

### **IDAPA 20 – Department of Lands**

<b>20.03.01 – Dredge and Placer Mining Operations in Idaho</b>				
20-0301-1801	001, 002, 004-022	18-9	18-12	(4-11-19)
<b>20.03.02 – Rules Governing Exploration, Surface Mining, and Closure of Cyanidation Facilities</b>				
20-0302-1801	005-011, 060-071, 120, 140	18-9	18-12	(4-11-19)
<b>20.03.04 – Rules for the Regulation of Beds, Waters, and Airspace Over Navigable Lakes in the State of Idaho</b>				
20-0304-1801	004, 015-020, 080	18-9	18-12	(4-11-19)
<b>20.04.01 – Rules Pertaining to Forest Fire Protection</b>				
20-0401-1701	000-020, 080, 100-110, 130-150	18-8	19-1	(4-11-19)

### **IDAPA 22 – Board of Medicine**

<b>22.01.01 – Rules of the Board of Medicine for the Licensure to Practice Medicine and Surgery and Osteopathic Medicine and Surgery in Idaho</b>				
22-0101-1801	000-004, 010-053, 078-080, 100-245	18-11	19-1	(4-11-19)
<b>22.01.02 – Rules of the Board of Medicine for the Registration of Externs, Interns, and Residents</b>				
22-0102-1801	Chapter Repeal (000-999)	18-11	19-1	(4-11-19)
<b>22.01.03 – Rules for the Licensure of Physician Assistants</b>				
22-0103-1801	000-003, 010-021, 028, 030, 036-053	18-11	19-1	(4-11-19)

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<b>22.01.04 – Rules of the Board of Medicine for Registration of Supervising and Directing Physicians</b>				
22-0104-1801	Chapter Repeal (000-999)	18-11	19-1	(4-11-19)
<b>22.01.05 – General Provisions of the Board of Medicine</b>				
22-0105-1801	New Chapter (000-999)	18-11	19-1	(4-11-19)
<b>22.01.07 – Rules of Practice and Procedure of the Board of Medicine</b>				
22-0107-1801	Chapter Repeal (000-999)	18-11	19-1	(4-11-19)
<b>22.01.14 – Rules Relating to Complaint Investigation</b>				
22-0114-1801	Chapter Repeal (000-999)	18-11	19-1	(4-11-19)
<b>22.01.15 – Rules Relating to Telehealth Services</b>				
22-0115-1801	Chapter Repeal (000-999)	18-11	19-1	(4-11-19)

### **IDAPA 23 – Board of Nursing**

<b>23.01.01 – Rules of the Idaho Board of Nursing</b>				
23-0101-1801	076, 077, 315	18-9	18-12	(4-11-19)

### **IDAPA 24 – Bureau of Occupational Licenses**

<b>24.01.01 – Rules of the Board of Architectural Examiners</b>				
24-0101-1801	000, 004, 010, 150-300, 351, 400-751	18-8	18-12	(4-11-19)
<b>24.03.01 – Rules of the State Board of Chiropractic Physicians</b>				
24-0301-1801	100, 250-400, 601	18-10	18-12	(4-11-19)
<b>24.05.01 – Rules of the Board of Drinking Water and Wastewater Professionals</b>				
24-0501-1801	010, 300-310, 328-335, 375, 450-600	18-10	18-12	(4-11-19)
<b>24.06.01 – Rules for the Licensure of Occupational Therapists and Occupational Therapy Assistants</b>				
24-0601-1801	010, 011, 013, 021-023, Appendix A	18-10	18-12	(4-11-19)
<b>24.08.01 – Rules of the State Board of Morticians</b>				
24-0801-1801	380	18-10	18-12	(4-11-19)
<b>24.09.01 – Rules of the Board of Examiners of Nursing Home Administrators</b>				
24-0901-1801	300-400	18-7	18-12	(4-11-19)
24-0901-1802	050, 200, 500, 700	18-10	18-12	(4-11-19)
<b>24.11.01 – Rules of the State Board of Podiatry</b>				
24-1101-1801	401, 700-800	18-10	18-12	(4-11-19)

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<i>Chapter and Docket Number</i>	<i>Sections Affected</i>	<i>Bulletin Vol. Proposed Rule</i>	<i>Bulletin Vol. Pending Rule</i>	<i>Final Effective Date</i>
<b>24.12.01 – Rules of the Idaho State Board of Psychologist Examiners</b>				
24-1201-1802	010-100, 150, 201, 251, 401, 402, 700-730 (Fee approved by <a href="#">SCR 114</a> )	18-10	18-12	(4-1-19)
<b>24.13.01 – Rules Governing the Physical Therapy Licensure Board</b>				
24-1301-1801	010-016, 180, 181	18-10	18-12	(4-11-19)
<b>24.14.01 – Rules of the State Board of Social Work Examiners</b>				
24-1401-1801	075, 200, 350, 500	18-10	18-12	(4-11-19)
<b>24.15.01 – Rules of the Idaho Licensing Board of Professional Counselors and Marriage and Family Therapists</b>				
24-1501-1801	010, 230-239, 245	18-8	18-12	(4-11-19)
24-1501-1802	149, 200-225, 425, 550	18-10	18-12	(4-11-19)
<b>24.17.01 – Rules of the State Board of Acupuncture</b>				
24-1701-1801	200, 201, 404	18-10	18-12	(4-11-19)
<b>24.18.01 – Rules of the Real Estate Appraiser Board</b>				
24-1801-1801	300-400	18-6	18-12	(4-11-19)
24-1801-1802	150 (Fee approved by <a href="#">SCR 114</a> )	18-10	18-12	(4-1-19)
<b>24.19.01 – Rules of the Board of Examiners of Residential Care Facility Administrators</b>				
24-1901-1801	160	18-10	18-12	(4-11-19)
<b>24.23.01 – Rules of the Speech, Hearing and Communication Services Licensure Board</b>				
24-2301-1801	260	18-7	18-12	(4-11-19)
<b>24.25.01 – Rules of the Idaho Driving Businesses Licensure Board</b>				
24-2501-1801	150, 201, 250-275	18-10	18-12	(4-11-19)
<b>24.26.01 – Rules of the Idaho Board of Midwifery</b>				
24-2601-1801	004, 100, 200, 325	18-10	18-12	(4-11-19)
<b>24.28.01 – Rules of the Barber and Cosmetology Services Licensing Board</b>				
24-2801-1802	New Chapter (000-999) (Fee approved by and Subsections 851.05, 06, & 07 rejected by <a href="#">SCR 114</a> )	18-10	18-12	(4-1-19)

### IDAPA 26 – Department of Parks & Recreation

<b>26.01.10 – Rules Governing the Administration of Temporary Permits on Lands Owned by the Idaho Department of Parks and Recreation</b>				
26-0110-1701	010-150 (Pending fee rule rejected by <a href="#">SCR 114</a> )	18-7	18-10	Null & Void

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<b>26.01.20 – Rules Governing the Administration of Park and Recreation Areas and Facilities</b>				
26-0120-1701	151-225	18-7	18-10	(4-11-19)
<b>26.01.23 – Rules Governing Filming Within Idaho State Parks</b>				
26-0123-1701	000, 010-150	18-7	18-10	(4-11-19)

### **IDAPA 27 – Board of Pharmacy**

<b>27.01.01 – General Provisions</b>				
27-0101-1801	010, 011, 020, 023	18-10	18-12	(4-11-19)
<b>27.01.02 – Rules Governing Licensure and Registration</b>				
27-0102-1802	023-032, 034, 080 (Fee approved by <a href="#">SCR 114</a> )	18-10	18-12	(4-1-19)
<b>27.01.03 – Rules Governing Pharmacy Practice</b>				
27-0103-1801	200-300, 302-305, 313, 400, 402	18-10	18-12	(4-11-19)
<b>27.01.04 – Rules Governing Pharmacist Prescriptive Authority</b>				
27-0104-1802	021, 024, 026	18-10	18-12	(4-11-19)
<b>27.01.05 – Rules Governing Drug Compounding</b>				
27-0105-1801	101	18-10	18-12	(4-11-19)
<b>27.01.06 – Rules Governing DME, Manufacturing, and Distribution</b>				
27-0106-1801	Chapter Repeal (000-999)	18-10	18-12	(4-11-19)

### **IDAPA 28 – Department of Commerce**

<b>28.02.03 – Rules of the Idaho Regional Travel and Convention Grant Program</b>				
28-0203-1802	011, 013, 015, 017, 018, 022, 201, 222, 223	18-10	19-1	(4-11-19)

### **IDAPA 30 – Commission for Libraries**

<b>30.01.01 – Rules of the Idaho Commission for Libraries Governing the Use of Commission Services</b>				
30-0101-1801	003, 004, 006-011, 020-023, 050	18-7	18-9	(4-11-19)

### **IDAPA 31 – Public Utilities Commission**

<b>31.11.01 – Safety and Accident Reporting Rules for Utilities Regulated by the Idaho Public Utilities Commission</b>				
31-1101-1801	101	18-10	18-12	(4-11-19)

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<b>31.71.03 – Railroad Safety and Accident Reporting Rules</b>				
31-7103-1801	102	18-10	18-12	(4-11-19)

<b>IDAPA 34 – Secretary of State</b>				
<b>34.06.02 – Rules Governing the Electronic Recording of Plats, Records of Survey, and Corner Records</b>				
34-0602-1801	New Chapter (000-999)	18-8	19-1	(4-11-19)

<b>IDAPA 35 – State Tax Commission</b>				
<b>35.01.01 – Income Tax Administrative Rules</b>				
35-0101-1801	015, 017, 075, 108, 185, 253, 263, 300, 745-748, 755-767, 790, 791, 793, 799, 830, 890, 891 (Pending Rule Subsection 015.02 rejected by <a href="#">SCR 109</a> )	18-8	19-1	(3-26-19)
35-0101-1804	171	18-10	19-1	(4-11-19)
<b>35.01.02 – Idaho Sales and Use Tax Administrative Rules</b>				
35-0102-1801	037, 049, 068	18-8	19-1	(4-11-19)
35-0102-1802	003, 107, 110	18-10	19-1	(4-11-19)
35-0102-1803	018, 041, 077, 106, 117, 128 (Pending Rule Subsection 106.05.b. rejected by <a href="#">SCR 108</a> )	18-10	19-1	(3-26-19)
<b>35.01.03 – Property Tax Administrative Rules</b>				
35-0103-1801	312, 408, 610, 613, 614, 630, 709, 802-804, 962 (Pending Rule Sections 613 & 614 rejected by <a href="#">SCR 107</a> )	18-9	19-1	(3-26-19)
35-0103-1802	702	18-9	19-1	(4-11-19)
35-0103-1803	600 (Pending rule rejected by <a href="#">HCR 17</a> )	18-9	19-1	Null & Void
<b>35.01.05 – Idaho Motor Fuels Tax Administrative Rules</b>				
35-0105-1801	170	18-8	19-1	(4-11-19)
<b>35.01.06 – Hotel/Motel Room and Campground Sales Tax Administrative Rules</b>				
35-0106-1801	003	18-9	19-1	(4-11-19)
<b>35.01.09 – Idaho County Option Kitchen and Table Wine Tax Administrative Rules</b>				
35-0109-1801	016	18-6	19-1	(4-11-19)
<b>35.01.10 – Idaho Cigarette and Tobacco Products Tax Administrative Rules</b>				
35-0110-1801	015	18-9	19-1	(4-11-19)
35-0110-1802	003, 018	18-6	19-1	(4-11-19)

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<b>35.01.14 – Prepaid Wireless E911 Fee Administrative Rules</b>				
35-0114-1801	003	18-9	19-1	(4-11-19)
<b>35.02.01 – Tax Commission Administration and Enforcement Rules</b>				
35-0201-1801	310	18-10	19-1	(4-11-19)

### **IDAPA 38 – Department of Administration**

<b>38.04.09 – Rules Governing Use of the Chinden Office Complex</b>				
38-0409-1802	New Chapter (000-999)	18-9	18-11	(4-11-19)
<b>38.05.01 – Rules of the Division of Purchasing</b>				
38-0501-1801	011-013, 042, 051, 074, 083, 084, 094, 114 (Pending Rule Subsection 114.02.b. rejected by <a href="#">SCR 103</a> )	18-10	18-12	(3-20-19)

### **IDAPA 39 – Idaho Transportation Department**

<b>39.02.46 – Rules Governing Temporary Motor Vehicle Registration Permit</b>				
39-0246-1801	101-300	18-9	18-11	(4-11-19)
<b>39.02.61 – Rules Governing License Plates for Governmental Agencies and Taxing Districts</b>				
39-0261-1801	100	18-7	18-9	(4-11-19)
<b>39.03.01 – Rules Governing Definitions Regarding Overlegal Permits</b>				
39-0301-1801	Chapter Repeal (000-999)	18-10	18-12	(7-1-19)
<b>39.03.01 – Rules Governing Definitions Regarding Special Permits</b>				
39-0301-1802	New Chapter (000-999)	18-10	18-12	(7-1-19)
<b>39.03.02 – Rules Governing Movement of Disabled Vehicles</b>				
39-0302-1801	New Chapter (000-999)	18-10	18-12	(7-1-19)
<b>39.03.03 – Rules Governing Special Permits – General Conditions and Requirements</b>				
39-0303-1801	New Chapter (000-999) (Fee approved by <a href="#">SCR 114</a> )	18-10	18-12	(7-1-19)
<b>39.03.04 – Rules Governing Movement of Disabled Vehicles</b>				
39-0304-1801	Chapter Repeal (000-999)	18-10	18-12	(7-1-19)
<b>39.03.04 – Rules Governing Special Permits – Overweight Non-Reducible</b>				
39-0304-1802	New Chapter (000-999)	18-10	18-12	(7-1-19)
<b>39.03.05 – Rule Governing Variable Load Suspension Axles</b>				
39-0305-1801	Chapter Repeal (000-999)	18-10	18-12	(7-1-19)

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<b>39.03.05 – Rules Governing Special Permits – Oversize Non-Reducible</b>				
39-0305-1802	New Chapter (000-999)	18-10	18-12	(7-1-19)
<b>39.03.06 – Rules Governing Allowable Vehicle Size</b>				
39-0306-1801	Chapter Repeal (000-999)	18-10	18-12	(7-1-19)
<b>39.03.06 – Rules Governing Special Permits for Extra-Length/Excess Weight, Up to 129,000 Pound Vehicle Combinations</b>				
39-0306-1802	New Chapter (000-999)	18-10	18-12	(7-1-19)
<b>39.03.07 – Rules Governing Restricted Routes for Semitrailers</b>				
39-0307-1801	Chapter Repeal (000-999)	18-10	18-12	(7-1-19)
<b>39.03.07 – Rules Governing Special Permits for Reducible Loads</b>				
39-0307-1802	New Chapter (000-999)	18-10	18-12	(7-1-19)
<b>39.03.08 – Rules Governing Self-Propelled Snowplows</b>				
39-0308-1801	New Chapter (000-999)	18-10	18-12	(7-1-19)
<b>39.03.09 – Rules Governing Overlegal Permits – General Conditions and Requirements</b>				
39-0309-1801	Chapter Repeal (000-999)	18-10	18-12	(7-1-19)
<b>39.03.10 – Rules Governing When an Overlegal Permit is Required</b>				
39-0310-1801	Chapter Repeal (000-999)	18-10	18-12	(7-1-19)
<b>39.03.11 – Rules Governing Overlegal Permittee Responsibility and Travel Restrictions</b>				
39-0311-1801	Chapter Repeal (000-999)	18-10	18-12	(7-1-19)
<b>39.03.12 – Rules Governing Safety Requirements of Overlegal Permits</b>				
39-0312-1801	Chapter Repeal (000-999)	18-10	18-12	(7-1-19)
<b>39.03.13 – Rules Governing Overweight Permits</b>				
39-0313-1801	Chapter Repeal (000-999)	18-10	18-12	(7-1-19)
<b>39.03.14 – Rules Governing Policy During Spring Breakup Season</b>				
39-0314-1801	Chapter Repeal (000-999)	18-10	18-12	(7-1-19)
<b>39.03.15 – Rules Governing Excess Weight Permits for Reducible Loads</b>				
39-0315-1801	Chapter Repeal (000-999)	18-10	18-12	(7-1-19)
<b>39.03.16 – Rules Governing Oversize Permits for Non-Reducible Vehicles and/or Loads</b>				
39-0316-1801	Chapter Repeal (000-999)	18-10	18-12	(7-1-19)
<b>39.03.17 – Rules Governing Permits for Manufactured Homes, Modular Buildings, and Office Trailers</b>				
39-0317-1801	Chapter Repeal (000-999)	18-10	18-12	(7-1-19)

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<b>39.03.18 – Rules Governing Overlegal Permits for Relocation of Buildings or Houses</b>				
39-0318-1801	Chapter Repeal (000-999)	18-10	18-12	(7-1-19)
<b>39.03.19 – Rules Governing Annual Overlegal Permits</b>				
39-0319-1801	Chapter Repeal (000-999)	18-10	18-12	(7-1-19)
<b>39.03.20 – Rules Governing Application for Special Permits</b>				
39-0320-1801	Chapter Repeal (000-999)	18-10	18-12	(7-1-19)
<b>39.03.21 – Rules Governing Overlegal Permit Fees</b>				
39-0321-1801	Chapter Repeal (000-999)	18-10	18-12	(7-1-19)
<b>39.03.22 – Rules Governing Overlegal Permits for Extra-Length, Excess Weight, and Up to 129,000 Pound Vehicle Combinations</b>				
39-0322-1801	Chapter Repeal (000-999)	18-10	18-12	(7-1-19)
<b>39.03.23 – Rules Governing Revocation of Overlegal Permits</b>				
39-0323-1801	Chapter Repeal (000-999)	18-10	18-12	(7-1-19)
<b>39.03.24 – Rules Governing Self-Propelled Snowplows</b>				
39-0324-1801	Chapter Repeal (000-999)	18-10	18-12	(7-1-19)
<b>39.03.25 – Rules Governing Lights on Snow Removal Equipment</b>				
39-0325-1801	Chapter Repeal (000-999)	18-10	18-12	(7-1-19)
<b>39.03.41 – Rules Governing Traffic Control Devices</b>				
39-0341-1801	004, 005	18-7	18-9	(4-11-19)
<b>39.03.48 – Rules Governing Routes Exempt From Local Plans and Ordinances</b>				
39-0348-1801	300	18-9	18-11	(4-11-19)

### **IDAPA 40 – Idaho Commission on the Arts**

<b>40.01.01 – Rules of the Idaho Commission on the Arts</b>				
40-0101-1801	100, 202, 203, 206, 301-503	18-9	18-11	(4-11-19)

### **IDAPA 47 – Division of Vocational Rehabilitation**

<b>47.01.02 – Rules and Minimum Standards Governing Extended Employment Services</b>				
47-0102-1801	010-300, 500-600, 800-900 (Pending Rule Subsection 500.03.c. rejected by <a href="#">HCR 18</a> )	18-10	19-1	(3-20-19)

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<i>Chapter and Docket Number</i>	<i>Sections Affected</i>	<i>Bulletin Vol. Proposed Rule</i>	<i>Bulletin Vol. Pending Rule</i>	<i>Final Effective Date</i>
<b>IDAPA 49 – Certified Shorthand Reporters Board</b>				
<b>49.01.01 – Rules of Procedure of the Idaho Certified Shorthand Reporters Board</b>				
49-0101-1801	101, 201	18-10	18-12	(4-11-19)

<b>IDAPA 52 – Idaho State Lottery Commission</b>				
<b>52.01.03 – Rules Governing Operations of the Idaho State Lottery</b>				
52-0103-1801	204	18-8	18-11	(4-11-19)

<b>IDAPA 58 – Department of Environmental Quality</b>				
<b>58.01.01 – Rules for the Control of Air Pollution in Idaho</b>				
58-0101-1801	006, 210, 221-223, 404, 586	18-8	18-12	(4-11-19)
58-0101-1803	620	18-8	18-12	(4-11-19)
58-0101-1804	107	18-8	18-12	(4-11-19)
<b>58.01.02 – Water Quality Standards</b>				
58-0102-1703	100, 110-120, 140, 160, 252	18-8	18-12	(4-11-19)
58-0102-1802	100, 210, 251	18-9	18-12	(4-11-19)
58-0102-1803	401	18-9	18-12	(4-11-19)
<b>58.01.05 – Rules and Standards for Hazardous Waste</b>				
58-0105-1801	002, 004-018	18-8	18-12	(4-11-19)
<b>58.01.24 – Standards and Procedures for Application of Risk Based Corrective Action at Petroleum Release Sites</b>				
58-0124-1801	008, 100-200, 300-400, 800	18-9	18-12	(4-11-19)
<b>58.01.25 – Rules Regulating the Idaho Pollutant Discharge Elimination System Program</b>				
58-0125-1801	003, 004	18-6	18-12	(4-11-19)

<b>IDAPA 59 – Public Employee Retirement System of Idaho (PERSI)</b>				
<b>59.01.03 – PERSI Contribution Rules</b>				
59-0103-1801	026-028, 100, 101	18-6	18-12	(4-11-19)
<b>59.01.05 – PERSI Separation from Service Rules</b>				
59-0105-1801	126	18-6	18-9	(4-11-19)
<b>59.01.06 – PERSI Retirement Rules</b>				
59-0106-1801	122	18-6	18-9	(4-11-19)

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<b>59.01.06 – PERSI Retirement Rules</b>				
59-0106-1802	576, 579	18-10	18-12	(4-11-19)

<b>IDAPA 60 – Idaho State Soil and Water Conservation Commission</b>				
<b>60.05.01 – Resource Conservation and Rangeland Development Program</b>				
60-0501-1801	000-151 (Pending Rule Section 103 subtext & Subsection 151.03 rejected by <a href="#">SCR 110</a> )	18-10	18-12	(3-28-19)

<b>IDAPA 61 – State Public Defense Commission</b>				
<b>61.01.02 – Rules Governing Uniform Data Reporting Requirements and Forms for Defending Attorney Annual Reports</b>				
61-0102-1801	New Chapter (000-999)	18-9	19-1	(5-1-19)
<b>61.01.03 – Rules Governing Contracts and Core Requirements for Contracts Between Counties and Private Attorneys for the Provision of Indigent Defense Services</b>				
61-0103-1801	New Chapter (000-999)	18-9	19-1	(5-1-19)
<b>61.01.04 – Rules Governing Procedures and Forms for the Application and Disbursement of Indigent Defense Grants</b>				
61-0104-1801	New Chapter (000-999)	18-10	19-1	(4-11-19)
<b>61.01.08 – Rules Governing the Administration of Idaho’s Indigent Defense Delivery Systems – Rule Definitions</b>				
61-0108-1801	001, 003-005, 010	18-9	19-1	(5-1-19)

## IDAPA 02 – DEPARTMENT OF AGRICULTURE

### 02.01.04 – RULES GOVERNING THE IDAHO PREFERRED® PROMOTION PROGRAM

DOCKET NO. 02-0104-1901

#### 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 22-112, Idaho Code.

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

<b>PUBLIC MEETING</b>
<b>Tuesday, May 21, 2019 – 1:30 p.m. - 4:30 p.m. (MDT)</b>
<b>Idaho State Department of Agriculture 2270 Old Penitentiary Road Boise, Idaho 83712</b>

Additional meetings may be scheduled; check the ISDA website ([www.agri.idaho.gov](http://www.agri.idaho.gov)) for information.

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:

Interested members of the public who wish to participate may submit any written comments for the record, questions, recommendations, or ideas to the Idaho State Department of Agriculture addressed to [Laura.Johnson@isda.idaho.gov](mailto:Laura.Johnson@isda.idaho.gov). Individuals may also attend the public meeting to be conducted on the above date during which the Idaho State Department of Agriculture will allow oral comments or presentations to be made.

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:

Some of the product qualifications in the voluntary Idaho Preferred program need to be revised. New product qualifications need to be created for bottled water and craft beer. Modifications will also be examined for other products including beef, game meat and apicultural products. Wine has its own product qualifications but bottled water and craft beer fall under the “processed food and beverage” definition that says that foods and beverages shall contain a minimum of twenty percent (20%) agricultural content by weight that has been grown or raised in Idaho and shall be processed in the state of Idaho. It is not possible to measure malt or hops content by weight in the final product. And it is not clear how to measure the agricultural content of bottled water. Game meat currently reads that only domestic elk products are eligible to participate in the program but yet domestic Cervidae includes fallow deer and reindeer. There are also inconsistencies in the meat products definitions that need to be revisited as well. In addition to the proposed changes, IDAPA 02.01.04 will be reviewed for amendment or repeal of select sections in order to comply with the Red Tape Reduction Act.

**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 Laura Johnson, Bureau Chief, Market Development at (208) 332-8533. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the ISDA web site at the following web address: [www.agri.idaho.gov](http://www.agri.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 May 31, 2019.

Dated this 4th day of April, 2019.

Brian Oakey, Deputy Director  
Idaho Department of Agriculture  
2270 Old Penitentiary Road  
P.O. Box 7249  
Boise, Idaho 83707  
Phone: (208) 332-8550  
Fax: (208) 334-2710

**IDAPA 02 – DEPARTMENT OF AGRICULTURE**

**02.02.14 – RULES FOR WEIGHTS AND MEASURES**

**DOCKET NO. 02-0214-1901**

**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 71-111, 71-121, 71-408 Idaho Code.

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

<b>PUBLIC MEETING</b>
<b>Tuesday, May 14, 2019 – 10:00 a.m. (MDT)</b>
<b>Idaho State Department of Agriculture 2270 Old Penitentiary Road Boise, Idaho 83712</b>

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:

Interested members of the public who wish to participate may submit any written comments for the record, questions, recommendations, or ideas to the Idaho State Department of Agriculture addressed to [Kevin.Merritt@isda.idaho.gov](mailto:Kevin.Merritt@isda.idaho.gov). Individuals may also attend the public meeting to be conducted on the above date during which the Idaho State Department of Agriculture will allow oral comments or presentations to be made. Persons wishing to join the negotiated rulemaking meeting by conference call must email [Kevin.Merritt@isda.idaho.gov](mailto:Kevin.Merritt@isda.idaho.gov) or call (208) 332-8690 twenty-four (24) hours prior to the meeting to obtain the teleconference number and directions for participation.

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 ISDA’s FY 2020 budget as recommended by the Governor included a directive for the agency to begin the process of raising fees and shifting a new Full Time Position onto dedicated funds for FY 2021. This rulemaking is submitted pursuant to fulfilling the Governor’s directive to bring program fees better in line with program costs.

The proposal would increase the current license fees for commercial weighing and measuring devices in Table 1-A. The agency would also update Table 1-A to include electric vehicle charging stations, mass flow meters, and establish a license fee. In addition to the proposed changes, IDAPA 02.02.14 will be reviewed for amendment or repeal of select sections in order to comply with the Red Tape Reduction Act.

**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 Kevin Merritt, Section Manager, Weights and Measures at (208) 332-8690. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the ISDA web site at the following web address: [www.agri.idaho.gov](http://www.agri.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 May 31, 2019.

Dated this 4th day of April, 2019.

Brian Oakey, Deputy Director  
Idaho Department of Agriculture  
2270 Old Penitentiary Road  
P.O. Box 7249  
Boise, Idaho 83707  
Phone: (208) 332-8550  
Fax: (208) 334-2710

**IDAPA 07 – DIVISION OF BUILDING SAFETY**

**07.01.03 – RULES OF ELECTRICAL LICENSING AND REGISTRATION – GENERAL**

**DOCKET NO. 07-0103-1901**

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

**AUTHORITY:** In compliance with Sections 67-5220(1) and 67-5220(2), Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Section 54-1006, Idaho Code.

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

<b>PUBLIC MEETING</b>	
<b>Wednesday, July 24, 2019 – 9:30 a.m. (MDT)</b>	
<b>Idaho Division of Building Safety 1090 E. Watertower Street, Suite 150 Meridian, ID 83642</b>	
<b>*Via VIDEO TELECONFERENCE* (same date and time as above) At the following Division of Building Safety locations:</b>	
<b>Coeur d’Alene Regional Office 1250 Ironwood Drive, Suite 220 Coeur d’Alene, ID 83814</b>	<b>Pocatello Regional Office 2055 Garrett Way, Bldg. 1, Suite 4 Pocatello, ID 83201</b>

Additional negotiated rulemaking meetings may be established, if necessary. Adequate notice of the dates, locations, and manner of participation of any such additional meetings will be posted on the Idaho Division of Building Safety (Division) 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 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:

Interested members of the public who wish to participate must submit any written comments, questions, recommendations, or ideas to the Idaho Electrical Board (Board) on designated forms available at the Division’s website at <http://dbs.idaho.gov/> and at the Division’s offices in Meridian, Coeur d’Alene, and Pocatello. Individuals may also attend the public meeting to be conducted on the date listed above. The Board invites oral comments or presentations to be made at the meeting. More information on the meeting is available by contacting Deputy Administrator Ron Whitney at (208) 332-7150 or at [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 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 the intended negotiated rulemaking is to invite public comment regarding the following:

The proposed amendments would align IDAPA 07.01.03 with Senate Bill 1008 by requiring apprentices to register and report work experience every year instead of every five years and allowing an apprentice to test for a journeyman electrician license by proving 16,000 hours of work experience.

The proposed amendments would also define continuation training as required in Idaho Code section 54-1007(2); remove a requirement that a journeyman test applicant show industrial, residential, and commercial work experience; require a journeyman test applicant to instead show work experience in at least one of those categories; remove requirements that a journeyman license applicant from a reciprocal state prove licensure in the reciprocal state for at least one year and that the applicant has not previously failed the Idaho journeyman examination; and remove a restriction preventing an out-of-state journeyman from registering as an Idaho electrical apprentice.

In addition, this rulemaking would eliminate or simplify provisions in IDAPA 07.01.03 to comply with the Red Tape Reduction Act (Executive Order 2019-02).

**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, if available, contact Warren Wing, Electrical Program Manager, Division of Building Safety, at (208) 334-3950 or at [warren.wing@dbs.idaho.gov](mailto:warren.wing@dbs.idaho.gov). Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the Division's website at <http://dbs.idaho.gov/>.

Anyone may submit written comments regarding this negotiated rulemaking. All written comments must be directed to the undersigned and delivered by July 19, 2019.

Dated this 5th day of April, 2019.

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  
[ron.whitney@dbs.idaho.gov](mailto:ron.whitney@dbs.idaho.gov)

**IDAPA 07 – DIVISION OF BUILDING SAFETY**

**07.02.03 – RULES GOVERNING PERMIT FEE SCHEDULE**

**DOCKET NO. 07-0203-1901 (FEE RULE)**

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

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

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

<b>PUBLIC MEETING</b>	
<b>Thursday, May 16, 2019 – 9:30 a.m. (MDT)</b>	
<b>Idaho Division of Building Safety 1090 E. Watertower Street, Suite 150 Meridian, ID 83642</b>	
<b>*Via VIDEO TELECONFERENCE* (same date and time as above) At the following Division of Building Safety locations:</b>	
<b>Coeur d’Alene Regional Office 1250 Ironwood Drive, Suite 220 Coeur d’Alene, ID 83814</b>	<b>Pocatello Regional Office 2055 Garrett Way, Bldg. 1, Suite 4 Pocatello, ID 83201</b>

Additional negotiated rulemaking meetings may be established, if necessary. Adequate notice of the dates, locations, and manner of participation of any such additional meetings will be posted on the Idaho Division of Building Safety (Division) 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 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:

Interested members of the public who wish to participate must submit any written comments, questions, recommendations, or ideas to the Idaho Plumbing Board (Board) on designated forms available at the Division’s website at <http://dbs.idaho.gov/> and at the Division’s offices in Meridian, Coeur d’Alene, and Pocatello. Individuals may also attend the public meeting to be conducted on the date listed above. The Board invites oral comments or presentations to be made at the meeting. More information on the meeting is available by contacting Deputy Administrator Ron Whitney at (208) 332-7150 or at [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 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:

IDAPA 07.02.03.011.08 and 07.02.03.011.09 refer to “mobile homes” and “mobile home parks.” “Mobile home” is a term of art that refers to a mobile residential structure constructed prior to June 15, 1976. “Manufactured home” is a term of art that refers to a transportable residential structure constructed on or after June 15, 1976, in accordance

with United States Department of Housing and Urban Development regulations. In addition, a “modular building” is a prefabricated structure or building component that is constructed in accordance with locally adopted codes. The Division issues permits and performs on-site plumbing inspections for mobile homes, manufactured homes, and modular buildings. The Division currently imposes one fee for permitting and inspection of plumbing for mobile homes, manufactured homes, and modular buildings, despite differences in the structures.

The purpose of the intended negotiated rulemaking is to invite public comment regarding the following:

These proposed amendments would impose the correct fee that corresponds to each structure by adding a fee for a modular building. The amendments would also add the term “manufactured home” to the fee for a mobile home in IDAPA 07.02.03.

In addition, this rulemaking would eliminate or simplify provisions in IDAPA 07.02.03 to comply with the Red Tape Reduction Act (Executive Order 2019-02).

**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, if available, contact John Nielsen, Plumbing Program Manager, Division of Building Safety at (208) 332-7112 or at [john.nielsen@dbb.idaho.gov](mailto:john.nielsen@dbb.idaho.gov). Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the Division’s website at <http://dbb.idaho.gov/>.

Anyone may submit written comments regarding this negotiated rulemaking. All written comments must be directed to the undersigned and delivered by May 11, 2019.

Dated this 5th day of April, 2019.

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  
[ron.whitney@dbb.idaho.gov](mailto:ron.whitney@dbb.idaho.gov)

## IDAPA 07 – DIVISION OF BUILDING SAFETY

### 07.02.05 – RULES GOVERNING PLUMBING SAFETY LICENSING

DOCKET NO. 07-0205-1901

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

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

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

<b>PUBLIC MEETING</b>	
<b>Thursday, May 16, 2019 – 9:30 a.m. (MDT)</b>	
<b>Idaho Division of Building Safety 1090 E. Watertower Street, Suite 150 Meridian, ID 83642</b>	
<b>*Via VIDEO TELECONFERENCE* (same date and time as above) At the following Division of Building Safety locations:</b>	
<b>Coeur d’Alene Regional Office 1250 Ironwood Drive, Suite 220 Coeur d’Alene, ID 83814</b>	<b>Pocatello Regional Office 2055 Garrett Way, Bldg. 1, Suite 4 Pocatello, ID 83201</b>

Additional negotiated rulemaking meetings may be established, if necessary. Adequate notice of the dates, locations, and manner of participation of any such additional meetings will be posted on the Idaho Division of Building Safety (Division) 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 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:

Interested members of the public who wish to participate must submit any written comments, questions, recommendations, or ideas to the Idaho Plumbing Board (Board) on designated forms available at the Division’s website at <http://dbs.idaho.gov/> and at the Division’s offices in Meridian, Coeur d’Alene, and Pocatello. Individuals may also attend the public meeting to be conducted on the date listed above. The Board invites oral comments or presentations to be made at the meeting. More information on the meeting is available by contacting Deputy Administrator Ron Whitney at (208) 332-7150 or at [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 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:

IDAPA 07.02.05.016.03.b. conflicts with Idaho Code section 54-2617(3). Idaho Code section 54-2617(3) allows revival of a lapsed plumbing license without examination within two years of the lapse. IDAPA 07.02.05.016.03.b. allows revival of an expired plumbing license without examination within one year of the expiration.

Additionally, the Board and plumbing industry have questioned the relevance, purpose, and efficacy of the practical portion of the plumbing journeyman examination in preparing examinees for the work of a plumbing journeyman.

The purpose of the intended negotiated rulemaking is to invite public comment regarding the following:

The proposed amendments would align IDAPA 07.02.05.016.03.b. with Idaho Code section 54-2617(3), allowing revival of a lapsed plumbing license without examination within two years of the lapse.

The proposed amendments would also eliminate the practical portion of the plumbing journeyman examination referenced throughout IDAPA 07.02.05.

In addition, this rulemaking would eliminate or simplify provisions in IDAPA 07.02.05 to comply with the Red Tape Reduction Act (Executive Order 2019-02).

**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, if available, contact John Nielsen, Plumbing Program Manager, Division of Building Safety at (208) 332-7112 or at [john.nielsen@dbs.idaho.gov](mailto:john.nielsen@dbs.idaho.gov). Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the Division's website at <http://dbs.idaho.gov/>.

Anyone may submit written comments regarding this negotiated rulemaking. All written comments must be directed to the undersigned and delivered by May 11, 2019.

Dated this 5th day of April, 2019.

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  
[ron.whitney@dbs.idaho.gov](mailto:ron.whitney@dbs.idaho.gov)

**IDAPA 07 – DIVISION OF BUILDING SAFETY**  
**07.02.06 – RULES CONCERNING IDAHO STATE PLUMBING CODE**  
**DOCKET NO. 07-0206-1702**  
**NOTICE OF FINAL RULE – AGENCY FILING**

**AUTHORITY:** In compliance with Sections 67-5224 and 67-5291, Idaho Code, notice is hereby given that the legislature has taken action by concurrent resolution on the pending rule promulgated under Docket No. 07-0206-1702. Only that section of the rule effected by Senate Concurrent Resolution (SCR) 106 is being reprinted here as a final rule.

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

Pursuant to **SCR 106**, IDAPA 07.02.06, “Rules Concerning Idaho State Plumbing Code,” the amendment to Section 011, Subsection 35, only, adopted as a pending rule under Docket Number **07-0206-1702**, is not consistent with legislative intent and is rejected and declared null, void and of no force and effect. Only Section 011 is reprinted here as affected by SCR 106 following this notice.

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

DATED this 20th day of April, 2019.

Dennis Stevenson  
Administrative Rules Coordinator  
Office of the Administrative Rules Coordinator  
Department of Administration  
P. O. Box 83720, Boise, ID 83720-0306  
E-mail: [rulescoordinator@adm.idaho.gov](mailto:rulescoordinator@adm.idaho.gov)

**The pending rule adopted under this docket was partially rejected by SCR 106.  
The following rule text is the codified final rule and includes the rejected  
pending rule text shown here as underscored and stricken.**

**011. ADOPTION AND INCORPORATION BY REFERENCE OF THE IDAHO STATE PLUMBING CODE.**

The Idaho State Plumbing Code published in 2017, including Appendices “A, B, C, D, E, G, I, J, K and L,” (herein ISPC) is adopted and incorporated by reference with amendments as prescribed by the Idaho Plumbing Board and contained in this Section. The Idaho State Plumbing Code is modeled after the 2015 Uniform Plumbing Code (UPC). The Idaho State Plumbing Code is available at the Division of Building Safety offices located at 1090 E. Watertower St., Suite 150, Meridian, Idaho 83642; 1250 Ironwood Dr., Ste. 220, Coeur d’Alene, Idaho 83814; and 2055 Garrett Way, Building 1, Suite 4, Pocatello, Idaho 83201. It may also be accessed electronically online at <http://dbs.idaho.gov/>. (3-29-17)

**01. Section 105.3 Testing of Systems. (3-29-17)**

**a.** Delete and replace the following: Plumbing systems shall be tested and approved in accordance with this code or the Authority Having Jurisdiction. Tests may be conducted in the presence of the Authority Having Jurisdiction or the Authority Having Jurisdiction’s duly appointed representative. (3-29-17)

**b.** No test or inspection shall be required where a plumbing system, or part thereof, is set up for exhibition purposes and has no connection with a water or drainage system. In cases where it would be impractical to provide the required water or air tests, or the presences of the Authority Having Jurisdiction, or for minor installations and repairs, the Authority Having Jurisdiction, in accordance with procedures established thereby, shall be permitted to make such inspection as deemed advisable in accordance with the intent of this code. Joints and connections in the plumbing system shall be gastight and watertight for the pressures required by the test. (3-29-17)

**02. Section 218 Definitions.** Delete definition of “Plumbing System.” Incorporate definition of “Plumbing System” as set forth in Section 54-2604, Idaho Code. (3-29-17)

**03. Section 314.4 Excavations.** Add: Where unsuitable or soft material is encountered, excavate to a depth not less than two (2) pipe diameters below the pipe and replace with select backfill. Such backfill shall be sand, fine gravel, or stone and shall provide lateral support for the pipe. Where rock is encountered, the trench shall be excavated to a minimum depth of six (6) inches (152 mm) below the bottom of the pipe. Sand shall be added to provide uniform bedding and support for the pipe. The pipe shall not rest on any rock at any point, including joints. (3-29-17)

**04. Section 401.2 Qualities of Fixtures.** Replace with the following: Plumbing fixtures shall be constructed of dense, durable, non-absorbent materials and shall have smooth, impervious surfaces, free from unnecessary concealed fouling surfaces. (3-29-17)

**05. Section 403.3 Exposed Pipes and Surfaces.** Delete. (3-29-17)

**06. Section 407.4 Transient Public Lavatories.** Self-closing or self-closing metering faucets may be installed on lavatories intended to serve the transient public, such as those in, but not limited to, service stations, train stations, airports, restaurants, convention halls, and rest stops. Installed metered faucets shall deliver a maximum of zero point two six (0.26) gallons (one point zero (1.0) liter) of water per use. (3-29-17)

**07. Section 408.5 Finished Curb or Threshold.** Delete the last sentences of the first paragraph and replace with the following: The finished floor of the receptor shall slope uniformly from the sides toward the drain not less than one-eighth (1/8) inch per foot (20.8 mm/m), nor more than one-half (1/2) inch per foot (41.8 mm/m). (3-29-17)

**08. Section 408.7.5 Tests for Shower Receptors.** Delete. (3-29-17)

**09. Section 409.4 Limitation of Hot Water in Bathtubs and Whirlpool Bathtubs.** Delete. (3-29-17)

**10. Table 501.1(1) First Hour Rating.** Delete Table 501.1(1) and replace with the following:

**TABLE 501.1(1) FIRST HOUR RATING<sup>1</sup>**

Number of Bathrooms	1 to 1.5			2 to 2.5				3 to 3.5			
Number of Bedrooms	1	2	3	2	3	4	5	3	4	5	6
First Hour Rating, <sup>2</sup> Gallons	38	49	49	49	62	62	74	62	74	74	74

For SI units: one (1) gallon = 3.785 L

Notes:

<sup>1</sup> The first hour rating is found on the “Energy Guide” label.

<sup>2</sup> Solar water heaters shall be sized to meet the appropriate first hour rating as shown in the table. (3-25-19)

**11. Section 503.1 Inspection of Chimneys or Vents.** Add the following to the end of section 503.1: Water heating appliances using Category 3 or 4 exhaust venting shall be tested in its entirety with five (5) pounds of air for fifteen (15) minutes. Plastic vents shall be constructed using manufacturer’s instructions. (3-29-17)

12. **Section 507.2 Seismic Provisions.** Delete. (3-29-17)
13. **Section 507.13 Installation in Garages.** Replace 507.13 with the following: Any plumbing appliance or appurtenance in residential garages and in adjacent spaces that open to the garage and are not part of the living space of a dwelling unit shall be installed so that burners, burner-ignition devices or other sources of ignition are located not less than eighteen (18) inches (450 mm) above the floor unless listed as flammable vapor ignition resistant. (3-29-17)
14. **Table 603.2 Backflow Prevention Devices, Assemblies and Methods.** (3-29-17)
- a. Delete from the table the entire row related to freeze resistant sanitary yard hydrant devices. (3-29-17)
- b. Delete the backflow preventer for Carbonated Beverage Dispensers text from the first column of the table and replace with the following: Backflow preventer for Carbonated Beverage Dispensers (Reduced Pressure Principle Backflow Prevention Assembly). (3-29-17)
15. **Section 603.5.7 Outlets with Hose Attachments.** Delete and replace with the following: Potable water outlets with hose attachments, other than water heater drains, boiler drains, freeze resistant yard hydrants and clothes washer connections, shall be protected by a nonremovable hose bibb-type backflow preventer, a nonremovable hose bibb-type vacuum breaker, or by an atmospheric vacuum breaker installed not less than six (6) inches (one hundred fifty-two (152) mm) above the highest point of usage located on the discharge side of the last valve. In climates where freezing temperatures occur, a listed self-draining frost-proof hose bibb with an integral backflow preventer or vacuum breaker shall be used. (3-28-18)
16. **Section 603.5.12 Beverage Dispensers.** Delete and replace with the following: Potable water supply to, carbonated beverage dispensers shall be protected by an air gap or a Reduced Pressure Principle Backflow Prevention Assembly in accordance with ASSE 1013. For carbonated beverage dispensers, piping material installed downstream of the backflow preventer shall not be affected by carbon dioxide gas. Potable water supply to beverage dispensers and coffee machines shall be protected by an air gap or a vented backflow preventer in accordance with ASSE 1022. (3-25-19)
17. **Section 603.5.17 Potable Water Outlets and Valves.** Delete. (3-29-17)
18. **Section 603.5.21 Chemical Dispensers.** Add the following new section 603.5.21: The water supply to chemical dispensers shall be protected against backflow. The chemical dispenser shall comply with ASSE 1055 or the water supply shall be protected by one of the following methods: (3-29-17)
- a. Air gap; (3-29-17)
- b. Atmospheric vacuum breaker (AVB); (3-29-17)
- c. Pressure vacuum breaker backflow prevention assembly (PVB); (3-29-17)
- d. Spill-resistant pressure vacuum breaker (SVB); or (3-29-17)
- e. Reduced-pressure principle backflow prevention assembly (RP). (3-29-17)
19. **Section 604.10.1 Tracer Wire.** Add the following exception: Where the electrical wiring for the pump is installed in the same trench as the water line, from the point of origin to the structure, a tracer wire shall not be required. (3-28-18)
20. **Section 605.6.2 Mechanical Joints.** Add to the end of the section the following: Listed PE (polyethylene), one hundred sixty (160) psi minimum, water service and yard piping may be installed within a building (above ground and below ground) with one (1) joint, provided that only listed and approved metallic transition fittings shall be used. Polyethylene (PE) plastic pipe or tubing and fitting joining methods shall be installed

in accordance with the manufacturer's installation instructions. (3-29-17)

21. **Section 609.1 Installation.** Delete the following sentence: Building supply yard piping shall be not less than twelve (12) inches (305 mm) below the average local frost depth; and replace it with the following: The cover shall be not less than forty-two (42) inches (1068mm) below grade. (3-29-17)

22. **Section 609.4 Testing.** Testing. Deleting the phrase "Except for plastic piping," at the beginning of the third sentence and add the following sentence at the end of the section: Plastic piping is to be tested in accordance with manufacturer's installation standards. (3-25-13)

23. **Section 609.10 Water Hammer.** Does not apply to residential construction. (3-25-13)

24. **Section 609.11 Pipe Insulation.** Delete. (3-29-17)

25. **Table 610.3 and Appendix Table A 103.1.** Change fixture unit loading value for both public and private for bathtub or combination bath/shower, and clothes washers to two (2) fixture units. (3-29-17)

26. **Section 610.2 Pressure Loss.** Add the following: All new one (1) and two (2) family residences built slab on grade or that will have a finished basement at the time of final inspection must have a pre-plumbed water softener loop. The kitchen sink must have one (1) hot soft line and one (1) cold soft line and one (1) cold hard line. Exterior cold hose bibbs intended for irrigation purposes must be piped with hard water. (3-29-17)

27. **Table 611.4 Sizing of Residential Softeners.** Amend Footnote 3 to read: Over four (4) bathroom groups, softeners shall be sized according to the manufacturer's standards. (3-29-17)

28. **Section 612.0 Residential Sprinkler System.** Add the following to the end of the first sentence in section 612.1: and the requirements of the Authority Having Jurisdiction (AHJ). (3-29-17)

29. **Table 702.1 Drainage Fixture Unit Valves (DFU).** Change fixture unit loading value for clothes washers, domestic for private to two (2) fixture units. (3-29-17)

30. **Section 703.1 Minimum Size.** Add the following at the end of section 703.1: No portion of the drainage or vent system installed underground, underground under concrete or below a basement or cellar shall be less than two (2) inches in diameter. (3-29-17)

31. **Section 704.2 Single Vertical Drainage Pipe.** Two inch (2") and smaller double sanitary tees may be used for back to back or side by side fixture trap arms without increasing the barrel size. (3-29-17)

32. **Section 704.3 Commercial Sinks.** Delete. (3-29-17)

33. **Table 703.2 Maximum Unit Loading and Maximum Length of Drainage and Vent Piping.** Change fixture unit loading value for one and a half (1 1/2) inch horizontal drainage to two (2) fixture units. (3-29-17)

34. **Section 705.5.2 Solvent Cement Joints.** Add to the end of the section the following: PVC DWV may be joined by the use of one-step solvent cement listed or labeled per U.P.C. Section 301.1.1. (3-29-17)

35. **Section 707.4 Locations.** Add ~~Delete and replace with~~ the following: ~~Each horizontal drainage pipe shall be provided with a cleanout at its upper terminal, and each run of piping, that is more than one hundred (100) feet (30,480 mm) in total developed length, shall be provided with a cleanout for each one hundred (100) feet (30,480 mm), or fraction thereof, in length of such piping. An additional cleanout shall be provided in a drainage line for each aggregate horizontal change in direction exceeding one hundred thirty five (135) degrees (2.36 rad). A cleanout shall be installed above the fixture connection fitting, serving each urinal, regardless of the location of the urinal in the building.~~ A clean out shall be installed for double sanitary tees two (2) inches (50 mm) or less in diameter that receive the discharge from fixture connections. ~~the~~ Exceptions in Section 707.4 shall not apply. A full-sized accessible cleanout shall be installed in the vertical immediately above the floor or at the base of each waste or soil stack. ~~An approved,~~ full-size, ~~two way~~ cleanout extending to or above ~~the~~ finished grade line shall be installed

at the junction of the building drain and the building sewer. Cleanouts shall be installed at fifty (50) foot intervals in ~~on a~~ horizontal drain lines two (2) inches or smaller. ~~The following exceptions apply:~~ (3-29-17)

~~**a:** Cleanouts shall be permitted to be omitted on a horizontal drain line less than five (5) feet (1524 mm) in length unless such line is serving sinks or urinals.~~ ( )

~~**b:** Cleanouts shall be permitted to be omitted on a horizontal drainage pipe installed on a slope of seventy two (72) degrees (1.26 rad) or less from the vertical angle (one fifth (1/5) bend).~~ ( )

~~**c:** Excepting the building drain, its horizontal branches, and urinals, a cleanout shall not be required on a pipe or piping that is above the floor level of the lowest floor of the building.~~ ( )

~~**d:** If the total developed length of the waste line is less than one hundred (100) feet, a water closet shall be permitted to be substituted for an upper terminal cleanout or a base of stack cleanout.~~ ( )

**36. Section 710.3(4) Sewage Ejectors and Pumps.** Add: Exception (4): One (1) pump shall be permitted for “public use” occupancies provided that such tank receives the discharge of not more than one (1) water closet and ten (10) fixture units (See Section 710.9 Alarms). (3-29-17)

**37. Section 710.5 Size Building Drains and Sewers.** Add the following exception: In single family dwellings, one (1) fixture unit may be allowed for each gallon per minute of flow from a pump or a sump ejector. (3-29-17)

**38. Section 712.1 Media.** In the first sentence, delete the phrase “except that plastic pipe shall not be tested with air.” (3-25-13)

**39. Section 717.0 Size of Building Sewers.** Add the following to the end of section 717.1: Exception: The building drain and building sewer is not less than four (4) inches extending from its connection with the city or private sewer system and shall run full size to inside the foundation or building lines. (3-29-17)

**40. Section 723.0 General.** Delete the following sentence: “Plastic DWV piping systems shall not be tested by the air test method.” (3-29-17)

**41. Section 801.3.3 Food Handling Fixtures.** Add: Food preparation sinks, pot sinks, scullery sinks, dishwashing sinks, silverware sinks, commercial dishwashing machines, silverware-washing machines, steam kettles, potato peelers, ice cream dipper wells, and other similar equipment and fixtures must be indirectly connected to the drainage system by means of an air gap. The piping from the equipment to the receptor must not be smaller than the drain on the unit, but it must not be smaller than one (1) inch (twenty-five and four tenths (25.4) mm). (3-29-17)

**42. Section 805.41 General.** Add to the end of the first paragraph the following: Provisions must be made for the discharge of the water softener to terminate in an approved location. The drain line for a water softener must be three-fourths (3/4) inch minimum. A washer box with a dual outlet is an approved location as long as it is on the same floor or one (1) floor below the softener unit and the water softener drain line is a minimum three-fourths (3/4) inch. (3-29-17)

**43. Section 807.3 Domestic Dishwashing Machines.** A domestic dishwashing machine may be installed without the use of an airgap if the drain hose is looped to the bottom side of the counter top and secured properly. (3-29-17)

**44. Section 906.1 Roof Termination.** Delete the existing provision and replace with the following: (3-29-17)

**a.** Roof venting. When conventional roof venting is utilized, each vent pipe or stack shall extend through its flashing and shall terminate vertically not less than six (6) inches (one hundred fifty-two (152) mm) above the roof nor less than one (1) foot (three hundred five (305) mm) from any vertical surface. (4-2-08)

- b.** Sidewall venting. When sidewall venting is utilized, the vent shall extend flush with the eaves/gable end, shall turn down using a ninety (90) degree ell, and shall terminate as close to the roof peak as possible. The vent end must be properly screened. Sidewall venting is acceptable on new or remodel construction on cabins, log homes, and residential or commercial buildings. (4-2-08)
- c.** Sidewall venting must meet the intent of Section 906.2 of the ISPC. (3-25-13)
- 45. Section 908.1 Vertical Wet Venting.** Add to the end of the section the following: A horizontal wet vent may be created provided it is created in a vertical position and all other requirements of Section 908 of the ISPC are met. (3-29-17)
- 46. Section 909.0 Special Venting for Island Fixtures.** Add: Parameters for the limited use of Air Admittance Valves (A.A.V.). (3-29-17)
- a.** An A.A.V. may be used only in residential buildings. (4-2-08)
- b.** In remodels, an A.A.V. may be used with island fixtures or remotely located sinks such as in bar, kitchen, or laundry tray locations. An A.A.V. shall not be used in bathroom groups. (4-2-08)
- c.** In new construction, an A.A.V. may be used on island fixture sinks. (4-2-08)
- d.** Each A.A.V. may be used to vent only one (1) floor. (4-2-08)
- e.** Each A.A.V. must be readily accessible. (4-2-08)
- f.** The cross-sectional area of venting must remain the same and must meet the largest required building drain. (4-2-08)
- g.** An A.A.V. shall only be installed in accordance with the manufacturer's installation standards as per ASSE 1051. (4-2-08)
- h.** An A.A.V. may not be used in an attic, crawl space, outside installation, or in connection with chemical or acid waste systems. (4-2-08)
- 47. Section 1002.3 Change of Direction.** Trap arms may not exceed one hundred eighty (180) degrees of horizontal turn without the use of a cleanout. (3-29-17)
- 48. Section 1007.0 Trap Seal Protection.** Delete section 1007.1 and replace with the following: Floor drains or similar traps directly connected to the drainage system and subject to infrequent use shall be protected with a trap seal primer or other approved trap seal protection device, except where not deemed necessary for safety or sanitation by the Authority Having Jurisdiction. Trap seal primers shall be accessible for maintenance. (3-29-17)
- 49. Section 1016.1 Discharge.** Add the following to the end of section 1016.1: Floor drains installed in residential garages shall be permitted to use the interceptor as the fixture trap. (3-29-17)
- 50. Section 1502.1 General.** Add to this section the following paragraph: Plumbing for a gray water system from any fixture up to, but not to include the exterior irrigation system tank shall be inspected by the Authority Having Jurisdiction. The Idaho Department of Environmental Quality (IDEQ) shall have jurisdiction to inspect and approve the installation of the exterior irrigation system tank and all piping therefrom to the point of disposal in accordance with IDAPA 58.01.03, "Individual/Subsurface Sewage Disposal Rules." Gray water system location and design criteria requirements related to irrigation and leaching shall be determined in accordance with the requirements as established by the IDEQ. (3-29-17)

**IDAPA 07 – DIVISION OF BUILDING SAFETY**

**07.05.01 – RULES OF THE PUBLIC WORKS CONTRACTORS LICENSE BOARD**

**DOCKET NO. 07-0501-1901**

**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 54-1904 and 54-1907, Idaho Code.

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

<b>PUBLIC MEETING</b>	
<b>Monday, July 15, 2019 – 9:30 a.m. (MDT)</b>	
<b>Idaho Division of Building Safety 1090 E. Watertower Street, Suite 150 Meridian, ID 83642</b>	
<b>*Via VIDEO TELECONFERENCE* (same date and time as above) At the following Division of Building Safety locations:</b>	
<b>Coeur d’Alene Regional Office 1250 Ironwood Drive, Suite 220 Coeur d’Alene, ID 83814</b>	<b>Pocatello Regional Office 2055 Garrett Way, Bldg. 1, Suite 4 Pocatello, ID 83201</b>

Additional negotiated rulemaking meetings may be established, if necessary. Adequate notice of the dates, locations, and manner of participation of any such additional meetings will be posted on the Idaho Division of Building Safety (Division) 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 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:

Interested members of the public who wish to participate must submit any written comments, questions, recommendations, or ideas to the Idaho Public Works Contractor’s License Board (Board) on designated forms available at the Division’s website at <http://dbs.idaho.gov/> and at the Division’s offices in Meridian, Coeur d’Alene and Pocatello. Individuals may also attend the public meeting to be conducted on the date listed above. The Board invites oral comments or presentations to be made at the meeting. More information on the meeting is available by contacting Deputy Administrator Ron Whitney at (208) 332-7150 or at [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 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 Board has been monitoring a steady increase in the balance of the Public Works Contractors License Fund. The fund increase is a result of efficiencies in the processing of public works licenses at the Division. The Board and Division are satisfied that a renewal fee reduction will benefit the industry while leaving the Public Works Contractors License Fund adequately funded.

The purpose of the intended negotiated rulemaking is to invite public comment regarding the following:

These proposed amendments would provide a twenty percent reduction in renewal fees for public works contractor licenses.

In addition, this rulemaking would eliminate or simplify provisions in IDAPA 07.05.01 to comply with the Red Tape Reduction Act (Executive Order 2019-02).

**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, if available, contact Ron Whitney, Deputy Administrator, Division of Building Safety, at (208) 332-7150 or at [ron.whitney@dbs.idaho.gov](mailto:ron.whitney@dbs.idaho.gov). Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the Division's website at <http://dbs.idaho.gov/>.

Anyone may submit written comments regarding this negotiated rulemaking. All written comments must be directed to the undersigned and delivered by July 8, 2019.

Dated this 5th day of April, 2019.

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  
[ron.whitney@dbs.idaho.gov](mailto:ron.whitney@dbs.idaho.gov)

## IDAPA 07 – DIVISION OF BUILDING SAFETY

### 07.07.01 – RULES GOVERNING INSTALLATION OF HEATING, VENTILATION, AND AIR CONDITIONING SYSTEMS, DIVISION OF BUILDING SAFETY

DOCKET NO. 07-0701-1901

#### 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 54-5001, 54-5004, and 54-5005, Idaho Code.

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

<b>PUBLIC MEETING</b>	
<b>Tuesday, May 21, 2019 – 9:30 a.m. (MDT)</b>	
<b>Idaho Division of Building Safety 1090 E. Watertower Street, Suite 150 Meridian, ID 83642</b>	
<b>*Via VIDEO TELECONFERENCE* (same date and time as above) At the following Division of Building Safety locations:</b>	
<b>Coeur d’Alene Regional Office 1250 Ironwood Drive, Suite 220 Coeur d’Alene, ID 83814</b>	<b>Pocatello Regional Office 2055 Garrett Way, Bldg. 1, Suite 4 Pocatello, ID 83201</b>

Additional negotiated rulemaking meetings may be established, if necessary. Adequate notice of the dates, locations, and manner of participation of any such additional meetings will be posted on the Idaho Division of Building Safety (Division) 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 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:

Interested members of the public who wish to participate must submit any written comments, questions, recommendations, or ideas to the Idaho Heating, Ventilation, and Air Conditioning Board (Board) on designated forms available at the Division’s website at <http://dbs.idaho.gov/> and at the Division’s offices in Meridian, Coeur d’Alene and Pocatello. Individuals may also attend the public meeting to be conducted on the date listed above. The Board invites oral comments or presentations to be made at the meeting. More information on the meeting is available by contacting Deputy Administrator Ron Whitney at (208) 332-7150 or at [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 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:

Parts V (mechanical) and VI (fuel gas) of the 2018 edition of the International Residential Code (IRC) and the 2018 editions of the International Fuel Gas Code (IFGC) and International Mechanical Code (IMC) provide revisions

and clarifications that make the codes easier to understand and apply. The 2018 editions of these codes also provide enhanced safety requirements for heating, ventilation, and air conditioning (HVAC) installations, including new safety requirements for emerging HVAC technologies. Examples of noteworthy changes to these codes include the following: parts V and VI of the 2018 IRC revise requirements regarding makeup air serving domestic cooking exhaust, the 2018 IFGC includes express prohibition of the use of PVC and CPVC for fuel gas systems, and the 2018 IMC provides detailed requirements regarding pedicure and manicure station exhaust systems and rates.

Additionally, an in-state or out-of-state applicant for an Idaho HVAC contractor license must currently prove having legally acted as an Idaho HVAC journeyman for twenty-four (24) months. This requirement creates an unnecessary barrier for out-of-state applicants with similar qualifications to in-state applicants to obtain an Idaho HVAC contractor license.

The purpose of the intended negotiated rulemaking is to invite public comment regarding the following:

These proposed amendments would adopt parts V and VI of the 2018 edition of the IRC and the 2018 editions of the IFGC and IMC but retain existing Idaho amendments to the 2012 editions of these codes, as applicable.

These proposed amendments would also allow an out-of-state applicant for an Idaho HVAC contractor license to meet the work experience requirement for such license by providing satisfactory proof of twenty-four months of work experience as an HVAC journeyman in another jurisdiction or forty-eight months of work experience equivalent in nature to the work experience of an Idaho HVAC journeyman. In addition, this proposed rulemaking would require such an applicant to obtain an Idaho HVAC journeyman license, pay applicable application and licensing fees, and pass the Idaho HVAC contractor examination before receiving an Idaho HVAC contractor license.

Further, this rulemaking would eliminate or simplify provisions in IDAPA 07.07.01 to comply with the Red Tape Reduction Act (Executive Order 2019-02).

**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, if available, contact John Nielsen, Plumbing Program Manager, Division of Building Safety at (208) 332-7112 or at [john.nielsen@dbs.idaho.gov](mailto:john.nielsen@dbs.idaho.gov). Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the Division's website at <http://dbs.idaho.gov/>.

Anyone may submit written comments regarding this negotiated rulemaking. All written comments must be directed to the undersigned and delivered by May 16, 2019.

Dated this 5th day of April, 2019.

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  
[ron.whitney@dbs.idaho.gov](mailto:ron.whitney@dbs.idaho.gov)

**IDAPA 09 – IDAHO DEPARTMENT OF LABOR**  
**09.01.30 – UNEMPLOYMENT INSURANCE BENEFITS ADMINISTRATION RULES**  
**DOCKET NO. 09-0130-1902**  
**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 72-1333(2), 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 May 22, 2019.

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 intended changes to 09.01.30.175.23 will:

- 1.) Define the circumstances under which an unemployment insurance claimant can leave the local labor market area to attend training or school; and
- 2.) Specify unemployment insurance claimants cannot leave their local labor market to leave the country while collecting benefits.

**ASSISTANCE ON TECHNICAL QUESTIONS, MEETING ACCOMMODATIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING DRAFT COPIES:** Contact Josh McKenna, (208) 332-3577 x3919 for a preliminary draft of the rule text, technical questions concerning this negotiated rulemaking or requests for reasonable accommodation or accessibility. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts are available at <https://www.labor.idaho.gov/dnn/Administrative-Rule-Changes>.

Dated this 9th day of April, 2019.

Josh McKenna  
UI Benefits Bureau Chief  
Idaho Department of Labor/ Unemployment Insurance  
219 Main Street  
Boise, ID 83735  
Phone: (208) 332-3577 x3919  
Fax: (208) 639-3256

## IDAPA 09 – IDAHO DEPARTMENT OF LABOR

### 09.01.30 – UNEMPLOYMENT INSURANCE BENEFITS ADMINISTRATION RULES

DOCKET NO. 09-0130-1903

#### 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 72-1333(2), 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 May 22, 2019.

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 intended changes to IDPA 09.01.30 will:

- 1.) Clarify unemployment insurance benefit eligibility for individuals with disabilities is determined by Idaho law;
- 2.) Identify unemployment insurance claimants as responsible for providing competent evidence they are qualified individuals with disabilities under the Americans with Disabilities Act; and
- 3.) Remove language concerning long-term disability inconsistent with the definition of disability under the Americans with Disabilities Act.

**ASSISTANCE ON TECHNICAL QUESTIONS, MEETING ACCOMMODATIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING DRAFT COPIES:** Contact Josh McKenna, (208) 332-3577 x3919 for a preliminary draft of the rule text, technical questions concerning this negotiated rulemaking or requests for reasonable accommodation or accessibility. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, are available at <https://www.labor.idaho.gov/dnn/Administrative-Rule-Changes>.

Dated this 9th day of April, 2019.

Josh McKenna  
UI Benefits Bureau Chief  
Idaho Department of Labor/ Unemployment Insurance  
219 Main Street  
Boise, ID 83735  
Phone: (208) 332-3577 x3919  
Fax: (208) 639-3256

**IDAPA 16 – DEPARTMENT OF HEALTH AND WELFARE**

**16.01.03 – EMERGENCY MEDICAL SERVICES (EMS) – AGENCY LICENSING REQUIREMENTS**

**DOCKET NO. 16-0103-1901**

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

**AUTHORITY:** In compliance with Sections 67-5220(1) and 67-5220(2), Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Section 56-1003, Idaho Code, and Sections 56-1011 through 56-1023, Idaho Code.

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

<b>PUBLIC MEETING</b>
<b>Thursday, May 9, 2019 – 12:15 p.m. (MDT)</b>
<b>Emergency Medical Services Advisory Council (EMSAC) Meeting Fairfield Inn &amp; Suites 1788 Washington St. North Twin Falls, ID 83301</b>

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 may do any of the following:

1. Attend the negotiated rulemaking meeting and participate in the negotiation process;
2. Provide oral or written recommendations, or both, at the negotiated rulemaking meeting;
3. Submit written recommendations and comments to the address below.

**Send to:**

Idaho Department of Health & Welfare  
Bureau of Emergency Medical  
Services & Preparedness  
Attn: Brenda Gully  
P.O. Box 83720  
Boise, ID 83720-0036

**Hand Deliver to:**

Bureau of EMS  
2224 E. Old Penitentiary Rd.  
Boise, ID 83712-8249  
Attn: Brenda Gully  
E-mail: [Brenda.Gully@dhw.idaho.gov](mailto:Brenda.Gully@dhw.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 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 Department will be seeking public input on the following topics:

1. Time Sensitive Emergency (TSE) designation of EMS Agencies;
2. Air Medical EMS Agency personnel requirements -- what are alternate provider options when the required air medical crew configuration is not available due to staffing issues; and

3. Ambulance-Based Clinician (ABC) personnel requirements -- what are the roles and responsibilities of ABC providers and EMS nurses, and how should rules address patient safety and the transport for inter-facility transfers involving Intermediate Life Support (ILS)/Basic Life Support (BLS) crews.

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS:** For assistance on technical questions concerning this negotiated rulemaking, please contact Brenda Gully at (208) 334-4004.

All written comments on the negotiated rules must be directed to the contact person specified above under “Method of Participation” and must be delivered on or before Friday, May 10, 2019.

Dated this 5th day of April, 2019.

Tamara Prisock  
DHW – Administrative Rules Unit  
450 W. State Street – 10th Floor  
P.O. Box 83720  
Boise, ID 83720-0036  
Phone: (208) 334-5500  
Fax: (208) 334-6558  
E-mail: [dhwrules@dhw.idaho.gov](mailto:dhwrules@dhw.idaho.gov)

## IDAPA 16 – DEPARTMENT OF HEALTH AND WELFARE

### 16.01.07 – EMERGENCY MEDICAL SERVICES (EMS) – PERSONNEL LICENSING REQUIREMENTS

DOCKET NO. 16-0107-1901

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

**AUTHORITY:** In compliance with Sections 67-5220(1) and 67-5220(2), Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Section 56-1003, Idaho Code, and Sections 56-1011 through 56-1023, Idaho Code.

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

#### PUBLIC MEETING

Thursday, May 9, 2019 – 12:15 p.m. (MDT)

Emergency Medical Services Advisory Council  
(EMSAC) Meeting  
Fairfield Inn & Suites  
1788 Washington St. North  
Twin Falls, ID 83301

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 may do any of the following:

1. Attend the negotiated rulemaking meeting and participate in the negotiation process;
2. Provide oral or written recommendations, or both, at the negotiated rulemaking meeting;
3. Submit written recommendations and comments to the address below.

**Send to:**

Idaho Department of Health & Welfare  
Bureau of Emergency Medical  
Services & Preparedness  
Attn: Brenda Gully  
P.O. Box 83720  
Boise, ID 83720-0036

**Hand Deliver to:**

Bureau of EMS  
2224 E. Old Penitentiary Rd.  
Boise, ID 83712-8249  
Attn: Brenda Gully  
E-mail: [Brenda.Gully@dhw.idaho.gov](mailto:Brenda.Gully@dhw.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 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 Department will be seeking public input on the following topics:

1. Changes to the timeframes for completion of the EMS personnel licensure certification exam;
2. Rules regarding expired EMS personnel licenses;
3. Recognition of EMS Personnel Licensure Interstate CompAct (REPLICA) -- need clarification of REPLICA language in rule to match the upcoming rules that are being established for the compact; and

4. Occupational Licensing Reform Act -- the Occupational Licensing Reform Act requires the Emergency Medical Services and Preparedness Bureau to provide rules for EMS personnel licensure by endorsement for the military, veterans, and their spouses. This is directed by HB 248 (2019).

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS:**

For assistance on technical questions concerning this negotiated rulemaking, please contact Brenda Gully at (208) 334-4004.

All written comments on the negotiated rules must be directed to the contact person specified above under “Method of Participation” and must be delivered on or before Friday, May 10, 2019.

Dated this 5th day of April, 2019.

Tamara Prisock  
DHW – Administrative Rules Unit  
450 W. State Street – 10th Floor  
P.O. Box 83720  
Boise, ID 83720-0036  
Phone: (208) 334-5500  
Fax: (208) 334-6558  
E-mail: [dhwrules@dhw.idaho.gov](mailto:dhwrules@dhw.idaho.gov)

**IDAPA 16 – DEPARTMENT OF HEALTH AND WELFARE**

**16.03.19 – RULES GOVERNING CERTIFIED FAMILY HOMES**

**DOCKET NO. 16-0319-1901**

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

**AUTHORITY:** In compliance with Sections 67-5220(1) and 67-5220(2), Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Sections 56-1005, 39-350, 56-264, 56-1007, 56-1002, 56-1003, 56-1004, 56-1004A, 56-1005, and 56-1009, Idaho Code.

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

<b>PUBLIC MEETINGS</b>	
<b>Tuesday, May 14, 2019 2:00-4:00 p.m. (MT)</b>	<b>Wednesday, May 15, 2019 8:30-10:30 a.m. (MT)</b>
<b>1070 Hiline Road Room 230 Pocatello, ID 83201</b>	<b>150 Shoup Avenue 2nd Floor Conference Room Idaho Falls, ID 83401</b>
<b>Wednesday, May 29, 2019 2:00-4:00 p.m. (MT)</b>	<b>Tuesday, June 4, 2019 9:00-11:00 a.m. (MT)</b>
<b>601 Pole Line Road Conference Room A Twin Falls, ID 83301</b>	<b>3402 Franklin Road Sawtooth Conference Room Caldwell, ID 83605</b>
<b>Wednesday, June 5, 2019 9:00-11:00 a.m. (MT)</b>	<b>Tuesday, June 11, 2019 9:00-11:00 a.m. (PT)</b>
<b>3232 Elder Street Conference Room D Boise, ID 83705</b>	<b>1250 Ironwood Drive Conference Room Coeur d'Alene, ID 83814</b>
<b>Wednesday, June 12, 2019 11:00a.m. - 1:00p.m.(PT)</b>	

**1118 F Street  
1st Floor Conference Room  
Lewiston, ID 83501**

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 may do any of the following:

1. Attend the negotiated rulemaking meeting and participate in the negotiation process;
2. Provide oral or written recommendations, or both, at the negotiated rulemaking meeting;
3. Submit written recommendations and comments to the address below.

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 intended changes are intended to promote the safety of residents. The State wants to protect vulnerable adults from exposure to others who have criminal convictions, substantiated adult protection or child protection complaints, or who have had disciplinary issues regarding a child care or foster care license. The Certified Family Home Program intends to add a requirement to renew criminal history clearance on a recurring basis and add disciplinary issues with child care licensing as a cause to deny a CFH application.

**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 (if available), contact Steve Millward, (208) 334-0706. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the program web site at the following web address: [www.cfh.dhw.idaho.gov](http://www.cfh.dhw.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 June 14, 2019.

Dated this 5th day of April, 2019.

Tamara Prisock  
DHW – Administrative Rules Unit  
450 W. State Street – 10th Floor  
P.O. Box 83720  
Boise, ID 83720-0036  
Phone: (208) 334-5500  
Fax: (208) 334-6558  
E-mail: [dhwrules@dhw.idaho.gov](mailto:dhwrules@dhw.idaho.gov)

## IDAPA 20 – IDAHO DEPARTMENT OF LANDS

### 20.03.02 – RULES GOVERNING EXPLORATION, SURFACE MINING, AND CLOSURE OF CYANIDATION FACILITIES

DOCKET NO. 20-0302-1901

#### 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 47-1505(3) and 58-104(6), Idaho Code.

**MEETING SCHEDULE:** All scheduled negotiated rulemaking meetings will occur between May 9 and July 11, 2019 and will be posted on the agency website at <https://www.idl.idaho.gov/rulemaking/index.html>. Please contact Eric Wilson at (208) 334-0261 or [ewilson@idl.idaho.gov](mailto:ewilson@idl.idaho.gov) to be added to the email list of interested parties.

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:** Those interested in participating in the negotiated rulemaking process are encouraged to attend scheduled meetings and submit written comments to the address below or by email to [rulemaking@idl.idaho.gov](mailto:rulemaking@idl.idaho.gov).

Preliminary rule drafts, research materials, and supporting documents will be posted to the agency website throughout the rulemaking process at <https://www.idl.idaho.gov/rulemaking/index.html>.

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 on the agency website and to interested persons who contact the agency.

**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:

House Bill 141 was signed into law during the 2019 legislative session and significantly modified the Idaho Surface Mining Act. This rulemaking is needed to implement those statutory changes. One of the principle needs is updating terminology throughout the rule due to new terms, such as financial assurance and post-closure.

In addition, the surface impacts of underground mines are now regulated by this act, so the rules need to provide the reclamation plan requirements for underground mines and the reclamation standards. Application fees for reclamation plans are also authorized by the act, so how those fees are set and a proposed fee schedule will be included in this rulemaking.

Reclamation plans will need to meet all Idaho water quality standards, so rule changes are needed to describe how and when that is required during the application process and how that affects the operation and reclamation of mines. Reclamation plans must also plan for post-closure activities, such as water treatment, as needed. In conjunction with addressing water quality protection and post-closure activities in reclamation plans, the rules must also describe how financial assurance will be calculated and provided to cover the actual costs of these activities, and all other activities in a reclamation plan.

Additional types of financial assurance are now allowed by this act, including corporate guarantees and trusts, so an important issue in this rulemaking is determining what standards will be set for these financial assurances and how they are maintained and released. Lastly, the rules need to address the new requirement for the department to review every reclamation plan at least once every five years.

**ASSISTANCE ON TECHNICAL QUESTIONS AND OBTAINING DRAFT COPIES:** For assistance on technical questions concerning this negotiated rulemaking or to obtain a preliminary draft copy of the rule text, contact Eric Wilson at (208) 334-0261 or [ewilson@idl.idaho.gov](mailto:ewilson@idl.idaho.gov). Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts and the schedule of negotiated rulemaking meetings, can be found on the agency website at the following web address: <https://www.idl.idaho.gov/rulemaking/index.html>.

**SUBMISSION OF WRITTEN COMMENTS:** Anyone may submit written comments regarding this negotiated rulemaking to the address below or by email to [rulemaking@idl.idaho.gov](mailto:rulemaking@idl.idaho.gov). All written comments must be directed to the undersigned and must be delivered on or before July 15, 2019.

Dated this 5th day of April, 2019.

Eric Wilson  
Resource Protection and Assistance Bureau Chief  
Idaho Department of Lands  
300 N. 6th Street, Suite 103  
P.O. Box 83720  
Boise, Idaho 83720-0050  
Phone: (208) 334-0261  
Fax: (208) 334-3698

## IDAPA 24 – BUREAU OF OCCUPATIONAL LICENSES

### 24.28.01 – RULES OF THE BARBER AND COSMETOLOGY SERVICES LICENSING BOARD

#### DOCKET NO. 24-2801-1802 (NEW CHAPTER)

#### NOTICE OF FINAL RULE – AGENCY FILING

**AUTHORITY:** In compliance with Sections 67-5224 and 67-5291, Idaho Code, notice is hereby given that the legislature has taken action by concurrent resolution on the pending fee rule promulgated under Docket No. 24-2801-1802. Only that section of the rule effected by Senate Concurrent Resolution (SCR) 114 is being reprinted here as a final rule.

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

Pursuant to **SCR 114**, IDAPA 24.28.01, “Rules of the Barber and Cosmetology Services Licensing Board,” the amendment to Section 851, Subsections 05, 06, and 07, only, adopted as a pending fee rule under Docket Number **24-2801-1802**, is not consistent with legislative intent and is rejected and declared null, void and of no force and effect. Only Section 851 is reprinted here as affected by SCR 114 following this notice.

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

DATED this 20th day of April, 2019.

Dennis Stevenson  
Administrative Rules Coordinator  
Office of the Administrative Rules Coordinator  
Department of Administration  
P. O. Box 83720, Boise, ID 83720-0306  
E-mail: [rulescoordinator@adm.idaho.gov](mailto:rulescoordinator@adm.idaho.gov)

**The pending rule adopted under this docket was partially rejected by SCR 114.  
The following rule text is the codified final rule and includes the rejected  
pending rule text shown here as underscored and stricken.**

#### **851. SAFETY AND DISINFECTION FOR ESTABLISHMENTS AND SCHOOLS.**

All establishments and schools must take every precaution to prevent the transfer of disease-causing pathogens between people and comply with Chapter 58, Title 54, Idaho Code. At a minimum the establishment or school must meet the following requirements: (4-1-19)

**01. Premises.** Establishments and schools must be separated from living areas by substantial walls and/or closable doors. All establishments and schools must be maintained in an orderly manner and shall be heated, lighted, and ventilated so as to be safe and comfortable to the operators and patrons. Floors, walls, ceilings, furniture, and all other fixtures shall be kept clean and in good repair at all times. (4-1-19)

**02. Instrument Cleaning.** All instruments and items used by operators shall be thoroughly cleaned after each use and prior to disinfection. (4-1-19)

**03. Instrument Disinfection or Sterilization.** All instruments and items used by operators shall be disinfected or sterilized after cleaning and prior to use on each patron, with a disinfectant or sterilant as defined in

these rules. All disinfectant must be mixed and changed according to the manufacturers' instructions. Disinfection methods such as immersion, sprays, and wipes may be used. Contact time listed on the disinfectant's label must be adhered to in all circumstances. Items or surfaces must remain completely immersed in disinfectant, or visibly wet if using sprays or wipes, for the full amount of contact time. (4-1-19)

**04. Single-Use and Porous Instruments.** Instruments and items that are intended for single use or that are porous shall be immediately disposed of in a waste container after each use on a patron or given to the patron to take home for personal use, provided that the instruments may not be brought back to the establishment for future use. (4-1-19)

~~**05. Towels.** Clean towels shall be used for each patron. Towels and linens that have been used must be placed in a container that is covered and has vented sides to reduce the growth of pathogens, and the container must be disinfected on a weekly basis with a disinfectant and as directed on the disinfectant manufacturer's label. Towels and linens may be laundered commercially or washed on site. When done on site, laundry must be dried until hot to the touch. A clean paper or cloth neckband shall be used to provide a barrier to infection which shall be maintained between each patron's neck and all multi-use capes. Paper towels and paper neckstrips shall be disposed of after one (1) use. ( )~~

~~**06. Storage of Equipment.** All towels, linens, and instruments, except for electrical instruments, shall be stored in clean, closed cabinets, drawers, or containers after they are cleaned and disinfected. All electrical instruments must be stored in a clean place, such as a hook, stand, or on a clean towel after they are cleaned and disinfected and may not be stored in cabinets, drawers, or containers that contain clean or disinfected items. All items that have been used must be kept in a closed, covered container with solid sides that is clearly identified as containing used items. Containers for used items must be disinfected on a daily basis. ( )~~

~~**07. Dispensers.** All solutions and compounds shall be clearly labeled, maintained, and dispensed in a manner to prevent contamination of the unused portion. All single-use applicators used to dispense a solution or compound shall be disposed of in a waste container after one (1) use. ( )~~

**05. Waxes and Waxing Services.** Paraffins, waxes and all other solutions or compounds shall be covered and maintained free of any foreign contaminants. Only disinfected or unused, single-use items may be placed into a container that holds wax or paraffins. Waxes and paraffins must be dispensed for use on a patron in the following manner: (4-1-19)

- a.** Wax may be removed from a multi-use wax pot for use on a patron by one of the following methods: (4-1-19)
- i.** Single-use spatula disposed of after a single dip/application; (4-1-19)
  - ii.** Disinfected plastic spatulas with one disinfected spatula used for each dip into the wax pot; or (4-1-19)
  - iii.** Placement of all wax needed for entire service in a single-use, disposable cup or a container that can be properly cleaned and disinfected, such as a stainless steel bowl. The cup, any remaining wax, and all single-use applicators must be immediately disposed of at the conclusion of the service. This is the only instance in which a single applicator may be used for an entire service. (4-1-19)
- b.** Paraffin wax must be portioned out for each patron in a bag or other container, or dispensed in a manner that prevents contamination of the unused supply. All portions used on a patron must be disposed of immediately following use. (4-1-19)

**06. Makeup Services.** All makeup and makeup services must follow the requirements in Section 852 of these rules. (4-1-19)

**07. Nail Services.** A licensee must comply with the following disinfection procedures between every patron: (4-1-19)

- a. All pedicure bowls, basins or tubs must be cleaned and disinfected prior to each use as follows: (4-1-19)
- i. Empty pedicure bowl. (4-1-19)
  - ii. Remove all removable parts, including screens, foot plates, impellers and fans. (4-1-19)
  - iii. Clean removable parts with soap or detergent and water, rinse, and immerse parts in disinfectant following manufacturer's directions for proper contact time. (4-1-19)
  - iv. Scrub bowl with soap or detergent and rinse with clean water. (4-1-19)
  - v. Replace removable cleaned and disinfected parts. (4-1-19)
  - vi. Fill bowl and add disinfectant to achieve proper concentration. (4-1-19)
  - vii. Allow disinfectant solution to sit, or run through system for bowls with circulating water for the manufacturer's recommended contact time. (4-1-19)
  - viii. Drain the tub, rinse and air dry or wipe dry with clean paper towel. (4-1-19)
- b. Metal drill bits may be soaked in acetone to remove nail product. When removed from the acetone, they must be cleaned using soap, water, and a brush, and then rinsed prior to immersion in disinfectant. Drill bits must remain in disinfectant for the full contact time. (4-1-19)

**08. Water Supply and Hand Washing.** Water supplies shall be from an approved source. Sufficient basins with hot and cold running water, approved drainage systems, soap and single-use towels shall be conveniently located within the work area. Operators and students shall wash their hands with running water and soap prior to providing service to any patron. When hand washing is not practicable, hand sanitizer of at least seventy percent (70%) alcohol may be used. (4-1-19)

**09. Restroom Facilities.** Clean, adequate and convenient restroom facilities, located and accessible from within the building where the shop or school is located, shall be available for use by operators and patrons. A basin with hot and cold running water, approved drainage systems, soap and single-use towels shall be provided within said facilities. All operators and students must wash their hands with running water and soap and then dry their hands with a single-use towel after using the restroom. (4-1-19)

**10. Safety.** Clearly identifiable first-aid kit must be readily accessible on the premises. No animals are allowed in shops or schools except service dogs trained to do work or perform tasks for persons with disabilities. The definition of service animals and disabilities shall be as set forth in U.S. Department of Justice Regulations at 28 C.F.R. Section 36.104 effective August 11, 2016. (4-1-19)

**11. Licenses and Classification Cards.** All establishments and schools must be licensed prior to their operation and must be under the direct supervision of a licensed operator. A current establishment and/or school license, valid operator license(s), a copy of these safety and disinfection rules, and a valid classification card shall be conspicuously displayed in the work area of each establishment or school for the information of operators, Board agents, and the public. (4-1-19)

**IDAPA 35 – STATE TAX COMMISSION**  
**35.01.01 – INCOME TAX ADMINISTRATIVE RULES**  
**DOCKET NO. 35-0101-1801**  
**NOTICE OF FINAL RULE – AGENCY FILING**

**AUTHORITY:** In compliance with Sections 67-5224 and 67-5291, Idaho Code, notice is hereby given that the legislature has taken action by concurrent resolution on the pending rule promulgated under Docket No. 35-0101-1801. Only that section of the rule effected by Senate Concurrent Resolution (SCR) 109 is being reprinted here as a final rule.

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

Pursuant to **SCR 109**, IDAPA 35.01.01, “Income Tax Administrative Rules,” the amendment to Section 015, Subsection 02, only, adopted as a pending rule under Docket Number **35-0101-1801**, is not consistent with legislative intent and is rejected and declared null, void and of no force and effect. Only Section 015 is reprinted here as affected by SCR 109 following this notice.

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

DATED this 20th day of April, 2019.

Dennis Stevenson  
Administrative Rules Coordinator  
Office of the Administrative Rules Coordinator  
Department of Administration  
P. O. Box 83720, Boise, ID 83720-0306  
E-mail: [rulescoordinator@adm.idaho.gov](mailto:rulescoordinator@adm.idaho.gov)

**The pending rule adopted under this docket was partially rejected by SCR 109.  
The following rule text is the codified final rule and includes the rejected  
pending rule text shown here as underscored and stricken.**

**015. INTERNAL REVENUE CODE (RULE 015).**

Section 63-3004, Idaho Code

**01. Interpretations.** Interpretations of the Internal Revenue Code may be found in various sources. These sources include decisions of the Tax Court, Congressional Committee Reports, General Counsel Memoranda, Decisions of the Federal and State Courts on federal income tax issues and Treasury Regulations. These interpretations are adopted by this reference to the extent that they are not in conflict with or inconsistent with the Idaho Code or administrative rules. (3-20-97)

~~**02. Internal Revenue Code Definition.** The definition of the term “Internal Revenue Code,” as defined in Section 63-3004, Idaho Code, includes all uncodified provisions in federal law that relate to provisions of the Internal Revenue Code and also includes any other provision of federal law that is used to determine federal taxable income.~~ (—)

**02. Retroactive Amendments.** For the purpose of determining federal taxable income, any retroactive

amendments to the Internal Revenue Code that are enacted on or before the date found in Section 63-3004(a), Idaho Code, are applied retroactively to the extent allowed under federal law. (3-26-19)

**03. Tax Commission Granted Discretion in Determining Correctness of Tax Return.** Discretion granted to the Secretary of the Treasury to determine or reallocate items of income or adjustments to income, deductions, expenses, credits or other subjects of taxation by the Internal Revenue Code may also be exercised by the Tax Commission and its authorized agents, employees and deputies to enforce and administer the Idaho Income Tax Act and these rules. (3-20-97)

## IDAPA 35 – STATE TAX COMMISSION

### 35.01.02 – IDAHO SALES AND USE TAX ADMINISTRATIVE RULES

DOCKET NO. 35-0102-1803

#### NOTICE OF FINAL RULE – AGENCY FILING

**AUTHORITY:** In compliance with Sections 67-5224 and 67-5291, Idaho Code, notice is hereby given that the legislature has taken action by concurrent resolution on the pending rule promulgated under Docket No. 35-0102-1803. Only that section of the rule effected by Senate Concurrent Resolution (SCR) 108 is being reprinted here as a final rule.

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

Pursuant to **SCR 108**, IDAPA 35.01.02, “Idaho Sales and Use Tax Administrative Rules,” the amendment to Section 106, Subsection 05.b., only, adopted as a pending rule under Docket Number **35-0102-1803**, is not consistent with legislative intent and is rejected and declared null, void and of no force and effect. Only Section 106 is reprinted here as affected by SCR 108 following this notice.

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

DATED this 20th day of April, 2019.

Dennis Stevenson  
Administrative Rules Coordinator  
Office of the Administrative Rules Coordinator  
Department of Administration  
P. O. Box 83720, Boise, ID 83720-0306  
E-mail: [rulescoordinator@adm.idaho.gov](mailto:rulescoordinator@adm.idaho.gov)

**The pending rule adopted under this docket was partially rejected by SCR 108.  
The following rule text is the codified final rule and includes the rejected  
pending rule text shown here as underscored and stricken.**

**106. MOTOR VEHICLES SALES, RENTALS, AND LEASES (RULE 106).**

Sections 63-3612, 63-3613, 63-3619, 63-3621, 63-3622K, and 63-3622R, Idaho Code

**01. In General.** The sale, lease, rental, or purchase of a motor vehicle is subject to sales and use tax. Retailers, lessors, and dealers are required to collect the tax. (7-1-93)

**02. Forms.** The forms required for sales and use tax collection and reporting include the following, with modifications that may be required from time to time: (7-1-93)

- a.** The title application form required by the Idaho Transportation Department. (7-1-93)
- b.** Form ST-104IC, Sales Tax Exemption Certificate – Interstate Commerce Vehicles. This form is used by qualifying interstate carriers claiming exemption under Section 63-3622R, Idaho Code. (3-26-19)
- c.** Form ST-104-NR, Sales Tax Exemption Certificate - Vehicle/Vessel. This form is used by

nonresidents claiming exemption under Section 63-3622R, Idaho Code. (3-26-19)

**d.** Form ST-133, Sales Tax Exemption Certificate Family or American Indian Sales, used for sales between family members, and sales to enrolled members of an Indian tribe within the boundaries of an Indian reservation. (3-26-19)

**e.** Other forms that may be required by the Tax Commission or the Idaho Transportation Department. (7-1-93)

**03. Vehicles Purchased from Idaho Dealers.** When a dealer of new or used motor vehicles sells any motor vehicle for delivery in Idaho, he must collect sales or use tax at the rate in effect on the date the motor vehicle is delivered to the buyer, unless an exemption applies. He must also prepare a title application form and include the dealer's Idaho seller's permit number, gross sales price, trade-in allowance, net sales price, and total tax collected. A title application form which is completed by the dealer and displays Idaho sales tax collected is evidence that the buyer paid sales tax to the dealer. (7-1-93)

**04. Vehicles Purchased from Out-of-State Dealers.** Title applications for vehicles purchased from out-of-state dealers must be made according to Idaho Transportation Department instructions. Any trade-in allowance must be shown on the original bill of sale, voucher, or other receipt from the out-of-state dealer. If sales tax was correctly paid to a dealer in another state, a credit is allowed against sales or use tax payable to Idaho. See Rule 107 of these rules. (4-2-08)

**05. Vehicles Purchased from Private Parties.** (3-26-19)

**a.** Bill of Sale. Title applications for vehicles purchased from nondealers, who are not required to have an Idaho seller's permit, must be made according to Idaho Transportation Department instructions. The buyer must present a bill of sale or receipt as proof of the gross sales price. Canceled checks will not be accepted in lieu of a bill of sale. (3-26-19)

~~**b.** *Low Bill of Sale. A recent sales price is presumptive evidence of a vehicle's value. For a bill of sale that shows a price below the value established as the "average trade-in price", tax is collected on the value established in the most recent National Automobile Dealers Association (NADA) Official Used Car Guide for the same make, model, options, year, mileage, and condition, unless the buyer provides information to support the recent sales price of the vehicle.*~~ ( )

**b.** No Bill of Sale. In the absence of a bill of sale or documentation supporting the value of the vehicle, tax is collected on the value established as the "average trade-in price" in the most recent NADA Official Used Car Guide for the same make, model, options, year, mileage, and condition. (3-26-19)

**c.** Trade In. A trade-in allowance is not allowed on a private party sale. See Rule 044 of these rules. The county assessor must collect tax on the gross sales price and remit the tax to the Tax Commission. (3-26-19)

**d.** Barter/Exchange. A barter or exchange of vehicles or other property is taxed on the value of the vehicles or other property involved in the exchange. In the absence of documentation supporting the value of the vehicle(s), tax is due on the value established as the "average trade-in price" in the most recent NADA Official Used Car Guide for the same make, model, options, year, mileage, and condition. (3-26-19)

**06. Vehicles Purchased from Retailers.** (3-26-19)

**a.** A retailer required to have an Idaho seller's permit must collect the sales tax when selling a motor vehicle, even though he is not licensed as a motor vehicle dealer. The retailer must give the buyer the title to the motor vehicle, properly completing title transfer information on the title, including the retailer's seller's permit number as proof that Idaho sales tax was collected. The retailer must also give the buyer a bill of sale stating: the date of sale; the name and address of the seller; the complete vehicle description including the, vehicle identification number (VIN), which must agree with the VIN on the title; the person to whom the vehicle was sold; the amount for which the vehicle was sold; and the amount of sales tax charged. (3-26-19)

**b.** A retailer is not relieved of the responsibility for collecting the tax unless he can provide satisfactory evidence to the Tax Commission that the buyer paid tax to the county assessor. If a retailer fails to collect the tax from the buyer, the county assessor must collect the tax. (3-26-19)

**07. Vehicles Rented or Leased.** (7-1-93)

**a.** A lease-purchase and lease with option to purchase have separate definitions and tax applications. See Rule 024 of these rules. A lease-purchase is subject to sales or use tax on the full purchase price at the time the vehicle is delivered to the lessee. A true lease and a lease with an option to purchase are subject to sales tax on each lease payment and on the buy-out or residual value when a lessee exercises his option to buy. The information in Section 106 deals with rentals, true leases, and leases with an option to buy. (4-2-08)

**b.** The lessor of a motor vehicle is a retailer and must collect sales tax from the lessee on any rental or lease payment on the date it is required to be made, at the tax rate in effect on that date. The lessor must also collect tax on any lessee's exercise of an option to buy based on the full purchase price or residual, at the tax rate in effect on the date title is transferred to the lessee. (7-1-93)

**c.** The lessor may not rely on the county assessor or the to collect sales or use tax if the purchase option is exercised. (3-26-19)

**d.** The lessor must collect sales tax on each lease payment received from the renter or lessee and remit the tax to the state. The sales tax is applicable whether the vehicle is leased or rented on an hourly, daily, weekly, monthly, mileage, or any other basis. (7-1-93)

**e.** If the lessor is responsible for maintaining the vehicle and this is stated in the lease or rental agreement, tax does not apply to his purchase of necessary repair parts. (7-1-93)

**f.** Out-of-state lessors must obtain a seller's permit and comply with this rule. If the county assessor cannot verify that the lessor is properly registered to collect the tax, title and registration will be denied. (3-26-19)

**g.** When a vehicle is traded in as part payment for the rental or lease of another vehicle, a deduction is allowed before computing the sales tax. The methods of applying the trade-in value to the lease are found in Rule 044 of these rules. (4-2-08)

**08. Cross-References.** (7-1-93)

**a.** See Rule 024 of these rules. Rentals or leases of tangible personal property. (4-2-08)

**b.** See Rule 044 of these rules. Trade-ins, trade-downs, and barter. (4-2-08)

**c.** See Rule 099 of these rules. Occasional sales. (4-2-08)

**d.** See Rule 091 of these rules. Sales to American Indians. (3-26-19)

**e.** See Rule 101 of these rules. Motor vehicles and trailers used in interstate commerce. (4-2-08)

**f.** See Rule 107 of these rules. Vehicles and Vessels - Gifts, Military, Nonresident, New Resident, Tax Paid to Another State, Sales to Family Members, Sales to American Indians. (3-26-19)

**g.** See Rule 108 of these rules. Motor vehicles manufacturer's, rental company's and dealer's purchase or use of motor vehicles. (4-2-08)

**IDAPA 35 – STATE TAX COMMISSION**  
**35.01.03 – PROPERTY TAX ADMINISTRATIVE RULES**  
**DOCKET NO. 35-0103-1801**  
**NOTICE OF FINAL RULE – AGENCY FILING**

**AUTHORITY:** In compliance with Sections 67-5224 and 67-5291, Idaho Code, notice is hereby given that the legislature has taken action by concurrent resolution on the pending rule promulgated under Docket No. 35-0103-1801. Only those sections of the rule effected by Senate Concurrent Resolution (SCR) 107 are being reprinted here as a final rule.

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

Pursuant to **SCR 107**, IDAPA 35.01.03, “Property Tax Administrative Rules,” the amendments to Sections 613 and 614, only, adopted as a pending rule under Docket Number **35-0103-1801**, are not consistent with legislative intent and are rejected and declared null, void and of no force and effect. Only Sections 613 and 614 are reprinted here as affected by SCR 107 following this notice.

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

DATED this 20th day of April, 2019.

Dennis Stevenson  
Administrative Rules Coordinator  
Office of the Administrative Rules Coordinator  
Department of Administration  
P. O. Box 83720, Boise, ID 83720-0306  
E-mail: [rulescoordinator@adm.idaho.gov](mailto:rulescoordinator@adm.idaho.gov)

**The pending rule adopted under this docket was partially rejected by SCR 107.  
The following rule text is the codified final rule and includes the rejected  
pending rule text shown here as underscored and stricken.**

**613. PROPERTY EXEMPT FROM TAXATION -- SPECULATIVE PORTION OF VALUE OF AGRICULTURAL LAND (RULE 613).**  
Section 63-602K, Idaho Code

**01. Definitions.** (4-5-00)

**a.** Taxable Value of Agricultural Land. The taxable value of agricultural land shall be the landlord’s share of net income per acre, capitalized by the annual rate required by Section 63-602K, Idaho Code, plus a component for the local tax rate. The component for local taxes achieves the necessary allowance for the expense of property taxes. (4-5-00)

**b.** Speculative Portion. The speculative portion is the difference between the current market value and the taxable value of agricultural land. The market value of agricultural land is established from market sales of similar land. (4-5-00)

c. Economic Rent. Economic rent is the average gross income per acre received by a landlord from either a ~~whole farm or individual crop~~ cash rent ~~agreement~~, or ~~a~~ crop share rental agreement. The rent attributable to exempt irrigation equipment is not included in economic rent. Only the rent solely attributable to the agricultural land is included in economic rent. (4-7-11)

d. Net Income. Net income is determined by deducting the landlord's share of current ~~typical~~ expenses, ~~and any income attributable to irrigation equipment~~, from ~~the~~ economic rent per acre. (4-5-00)

~~e. Landlord's share of typical expenses. The landlord's share of expenses, as part of a whole farm or individual crop cash rent, or crop share rental agreement may include, but not be limited to: water, electricity, materials and application of materials, management and harvest. The expenses, from the immediate preceding year, should be typical of local farming practices. ( )~~

~~f. Agricultural Area. An Agricultural Area is an identified geographic area of like or comparable agricultural land, which may have similar characteristics, such as: topography, crops grown, soil types, or irrigation practices. ( )~~

~~02. Calculation of Rent Attributable to Exempt Irrigation Equipment. Rent attributable to exempt irrigation equipment is calculated in the following manner. ( )~~

~~a. Rent of irrigated cropland. To determine the rents of irrigated cropland free of income attributable to exempt irrigation equipment, find rents of cropland that utilize non-mechanized irrigation practices, such as gravity fed furrow. If no information is available, use the reserves for replacement calculation to determine the income attributable to the exempt irrigation equipment. ( )~~

~~b. Irrigation system. Determine the irrigation system typically found in the area. ( )~~

~~c. Reserves for replacement calculation of irrigation systems cost. Determine the replacement cost new of the irrigation system. ( )~~

~~d. Acres irrigated. Determine the number of acres irrigated by the irrigation system. To calculate the irrigation system cost per acre, divide the irrigation equipment cost by the number of acres serviced by the irrigation equipment. ( )~~

~~e. Reserves for replacement. To determine the reserves required to replace the irrigation system, divide the cost of the irrigation equipment per acre by the estimated number of years in the economic life of the irrigation system. ( )~~

~~f. Income attributable to the exempt irrigation system. Multiply the per acre reserves for replacement of the irrigation system by the five year rolling average interest rate required by Section 63-602K, Idaho Code, plus a component for the local tax rate. ( )~~

~~g. The rent attributable to exempt irrigation equipment. The rent attributable to exempt irrigation equipment shall be deducted from the gross income received by the landlord as a part of a whole farm or individual crop cash rent, or crop share rental agreement. ( )~~

~~h. The following table demonstrates the calculations of the income attributable to irrigation equipment given hypothetical data: ( )~~

<i>Calculations of the income attributable to irrigation equipment (given hypothetical data):</i>	
<i>Replacement Cost New of the Irrigation Equipment</i>	<i>\$40,000</i>
<i>Acres Serviced by the Irrigation Equipment</i>	<i>40 Acres</i>
<i>Irrigation Equipment Cost Per Acre</i>	<i>\$40,000 ÷ 40 Acres = \$1,000 Per Acre</i>

<i>Calculations of the income attributable to irrigation equipment (given hypothetical data):</i>	
<i>Reserves for Replacement</i>	$\frac{\$1,000}{30 \text{ Year Economic Life}} = \$33.33$
<i>5 Yr Interest Rate (Section 63-602K, Idaho Code)</i>	<i>5.84%</i>
<i>Local Levy Rate</i>	<i>1.12%</i>
<i>Capitalization Rate</i>	<i>6.96%</i>
<i>Formula: Income = Value X Capitalization Rate</i>	
<i>Income Attributable to Exempt Irrigation Equipment</i>	$\$33.33 \times 6.96\% = \$2.32$

(—)

**02.** **Calculation of Net Income from Cash Rent.** Net Income from cash rent is calculated in the following manner. (4-5-00)

a. Crops Grown. Determine the crops typically grown in the area. (4-5-00)

b. Economic Rent. Determine the average per acre gross income from individual crop ~~cash rents or whole farm cash rents reported and~~ typical to ~~in the Agricultural area~~ over the immediate past five (5) years ~~growing seasons. If sufficient data from local farmers is not reported, data typical in the Agricultural Area from third party providers such as the United States Department of Agriculture (USDA), or the National Agricultural Statistics Service (NASS), may be used.~~ (4-5-00)

c. Landlord's Expenses. Determine the landlord's share of typically ~~ly~~ contracted expenses paid in the immediately preceding growing season. (4-5-00)

d. Landlord's Net Income. Subtract the landlord's share of typically ~~ly~~ contracted expenses from the average gross income per acre for the immediately preceding growing season to determine net income. (4-5-00)

**03.** **Calculation of Net Income from Crop Share Rent.** Net income from crop share rent is calculated in the following manner. (4-5-00)

a. Crops Grown. Determine the crops typically grown in the area. (4-5-00)

b. Average Crop Production. Determine average crop production per acre based on the most recent ~~immediate past~~ five (5) years ~~growing seasons~~. (4-5-00)

c. Average Commodity Prices. Determine average commodity prices based on the most recent ~~immediate past~~ five (5) years ~~growing seasons~~. (4-5-00)

d. Gross Income. Multiply average crop production per acre times the average commodity price to determine gross income per acre. (4-5-00)

e. Landlord's Share of Gross Income. Determine the landlord's share of gross income per acre from a crop rotation typical to the ~~Agricultural area~~. (4-5-00)

f. Expenses. Determine the landlord's share of water, fertilizer, chemical, seed ~~electricity, materials and application of materials, management~~ and harvest cost per acre for the immediately preceding growing season. (4-5-00)

g. Net Income. Subtract the landlord's share of expenses from the landlord's share of gross income to determine net income. (4-5-00)

**04~~5~~.** **Determination of Five Year Average Crop Prices.** The State Tax Commission shall determine five (5) year average crop prices to be used in determining net income by surveying publicly available data from various sources, including the annual crop summary published by the Idaho Agricultural Statistics Service. Average crop prices determined in this manner by the State Tax Commission should be considered guidelines in determining net income, subject to modification based on local market data. (4-6-05)

**05~~6~~.** **Farm Credit System Interest Rate.** Annually, the State Tax Commission shall calculate the five (5) year rolling average Farm Credit System interest rate (FCSIR<sub>5</sub>). Using the twenty (20) year fixed rate interest rates received bi-monthly from Northwest Farm Credit Services in Spokane, Washington, calculate the average Farm Credit System interest rate for the prior year applying the formula in Paragraph 613.05~~6~~.a. of this rule. Calculate the five (5) year rolling average Farm Credit System interest rate applying the formula in Paragraph 613.05~~6~~.b. of this rule. (3-30-07)

**a.** Formula for Calculating Average Farm Credit System Interest Rate for Prior Year.  $FCSIR_5 = (R_1 + R_2 + R_3 + R_4 + R_5 + R_6 + R_7 + R_8 + R_9 + R_{10} + R_{11} + R_{12})/12$ .

<b>Average Farm Credit System Interest Rate Variable Definitions:</b>	
FCSIR <sub>5</sub>	is the average Farm Credit System interest rate for the prior year.
R <sub>1</sub>	is the interest rate received for January of the prior year.
R <sub>2</sub>	is the interest rate received for February of the prior year.
R <sub>3</sub>	is the interest rate received for March of the prior year.
R <sub>4</sub>	is the interest rate received for April of the prior year.
R <sub>5</sub>	is the interest rate received for May of the prior year.
R <sub>6</sub>	is the interest rate received for June of the prior year.
R <sub>7</sub>	is the interest rate received for July of the prior year.
R <sub>8</sub>	is the interest rate received for August of the prior year.
R <sub>9</sub>	is the interest rate received for September of the prior year.
R <sub>10</sub>	is the interest rate received for October of the prior year.
R <sub>11</sub>	is the interest rate received for November of the prior year.
R <sub>12</sub>	is the interest rate received for December of the prior year.

(3-30-07)

b. Formula for Calculating Five (5) Year Rolling Average Farm Credit System Interest Rate.  $FCSIR = (FCSIR_1 + FCSIR_2 + FCSIR_3 + FCSIR_4 + FCSIR_5)/5$ .

Five Year Rolling Average Farm Credit System Interest Rate Variable Definitions:	
FCSIR <sub>5</sub>	is the average Farm Credit System interest rate for the prior year.
FCSIR <sub>4</sub>	is the average Farm Credit System interest rate for two (2) years ago.
FCSIR <sub>3</sub>	is the average Farm Credit System interest rate for three (3) years ago.
FCSIR <sub>2</sub>	is the average Farm Credit System interest rate for four (4) years ago.
FCSIR <sub>1</sub>	is the average Farm Credit System interest rate for five (5) years ago.

(3-30-07)

**06z. Notification.** In addition to providing notification of the Farm Credit System interest rate, the State Tax Commission will annually notify each county assessor of the most recent five (5) year average crop prices for the state. (4-6-05)

**07g. Cross Reference.** For agricultural land taxable value calculation examples, see Rule 614 of these rules. For eligibility criteria, see Rule 645 of these rules. For information relating to Christmas tree farms, other annual forest products, and yield tax, see Rule 968 of these rules. (3-30-07)

**614. SPECULATIVE PORTION OF VALUE OF AGRICULTURAL LAND - EXAMPLES (RULE 614).** Sections 63-602K and 63-604, Idaho Code. The following examples show calculations for the taxable value of agricultural land. The example in Subsection 614.01 of this rule shows one (1) calculation of an average property tax rate, the example in Subsection 614.02 of this rule shows one (1) calculation of a capitalization rate (cap rate), the example in Subsection 614.03 of this rule shows calculations using individual crop cash rent agreements, and the example in Subsection 614.04 of this rule shows calculations using crop share agreements, ~~and the example in Subsection 614.05 of this rule shows calculations using a combination of both individual crop cash rent and crop share. Only the crops grown on a typical farm in an Agricultural Area as defined in Rule 613 of these rules should be included in the crop rotation.~~ The choice to use cash rent or crop share analysis ~~or a combination of both~~ in determining the taxable value of agricultural land should be predicated on the quantity and quality of data available and the analysis that produces the most reliable and supportable value conclusion. (4-7-11)

**01. Average Property Tax Rate Calculation Example.**

	Tax Code Areas	Property Tax Rates
	8	1.1323951%
	9	1.1186222%

	Tax Code Areas	Property Tax Rates
	10	1.1226782%
	11	1.1714841%
	12	1.1674300%
	13	1.0692041%
	15	1.1603100%
	16	1.1323951%
	17	1.1323951%
<b>Average Property Tax Rate</b>		<b>1.1341015%</b>

(3-30-07)

02. Capitalization Rate Calculation Example.

Capitalization Rate Calculation Example:	
Average Property Tax Rate	1.13%
5-Year Average Farm Credit Bank Interest Rate	8.22%
Total Capitalization Rate (Cap Rate)	<b>9.35%</b>

(3-30-07)

03. Cash Rent Agreement Calculation Analysis Examples:

Individual Crop Cash Rent Example:

Crops	Contract Rents Per Acre (Land Only)	Rotation In Percent	Weighted Income Per Acre
Barley	\$100 <del>150.00</del>	14.42 <del>00</del> %	\$14.42 <del>21.00</del>
Beans	\$100 <del>150.00</del>	22.46 <del>00</del> %	\$22.46 <del>33.00</del>
Beets	\$170 <del>300.00</del>	20.33 <del>11.00</del> %	\$34.56 <del>33.00</del>
Corn/Grain	\$100.00	0.00%	\$0.00
Corn/Silage	\$110.00	0.00%	\$0.00
Hay/Alfalfa	\$120 <del>150.00</del>	21.32 <del>23.00</del> %	\$25.58 <del>34.50</del>
Potatoes	\$200 <del>350.00</del>	0 <del>0</del> .00%	\$0.00 <del>31.50</del>
Wheat	\$100 <del>150.00</del>	21.48 <del>00</del> %	\$21.48 <del>31.50</del>
Peas	\$125.00	0.00%	\$0.00
Oats	\$110.00	0.00%	\$0.00
Total Income Per Acre			\$118 <del>184.50</del>

Value per acre equals net income per acre divided by Cap rate:

Total <u>Gross</u> Income Per Acre	\$118 <del>184.50</del>
Less Water Costs	\$23 <del>26.00</del>
<u>Less Electricity Cost</u>	<del>\$20.00</del>
Less Management (@ 5%)	\$5.93 <del>9.22</del>
<u>Less Income Attributable to Exempt Irrigation Equipment</u>	<del>\$2.32</del>
<u>Total Net</u> Income Per Acre	\$88.57 <del>126.96</del>
Capitalization Rate	9.35 <del>6.96%</del>
<u>Individual Crop Cash Rent</u> Value Per Acre	\$958 <del>1824.13</del>

Whole Farm Cash Rent Analysis Example:

<u>Total Gross Income Per Acre from Whole Farm Cash Rent Data</u>	<del>\$200.00</del>
<u>Less Water Costs</u>	<del>\$26.00</del>
<u>Less Electricity Cost</u>	<del>\$20.00</del>
<u>Less Management (@ 5%)</u>	<del>\$10.00</del>
<u>Less Income Attributable to Exempt Irrigation Equipment</u>	<del>\$2.32</del>
<u>Total Whole Farm Cash Rent Net Income</u>	<del>\$141.68</del>
<u>Capitalization Rate</u>	<del>6.96%</del>
<u>Whole Farm Cash Rent Value Per Acre</u>	<del>\$2035.63</del>

(4-7-11)

04. Crop Share Agreement Calculation Analysis Example:

Crop	Yield	Price	Gross Income	Landlord Share	Landlord Share Gross Income to Land	Rotation Percent	Per Acre Share of Gross Inc. to Land
Barley	100 <del>130.00</del>	\$2.83 <del>3.00</del>	\$283 <del>390.00</del>	33.33 <del>50.00%</del>	\$94.32 <del>195.00</del>	14.42 <del>00%</del>	\$13.60 <del>27.30</del>
Beans	20 <del>25.00</del>	\$21.20 <del>27.00</del>	\$424 <del>675.00</del>	33.33 <del>50.00%</del>	\$141.32 <del>337.50</del>	22.46 <del>00%</del>	\$31.74 <del>74.25</del>
Beets	23 <del>38.00</del>	\$39.74 <del>45.00</del>	\$914.02 <del>1710.00</del>	25.00 <del>33.33%</del>	\$228.51 <del>569.94</del>	20.33 <del>11.00%</del>	\$46.46 <del>62.69</del>
G/Corn	0.00	\$3.22	\$0.00	33.33%	\$0.00	0.00%	\$0.00
S/Corn	0.00	\$24.40	\$0.00	33.33%	\$0.00	0.00%	\$0.00
Hay	5.50 <del>6.00</del>	\$84.10 <del>120.00</del>	\$462.55 <del>720.00</del>	50.00%	\$231.28 <del>360.00</del>	21.32 <del>23.00%</del>	\$49.31 <del>82.80</del>
Potatoes	<del>45.00</del>	\$4.74 <del>5.00</del>	\$0 <del>2250.00</del>	25.00 <del>33.33%</del>	\$0.00 <del>749.92</del>	0 <del>9.00%</del>	\$0.00 <del>67.49</del>

Crop	Yield	Price	Gross Income	Landlord Share	Landlord Share Gross Income to Land	Rotation Percent	Per Acre Share of Gross Inc. to Land
Wheat	98 <del>120.00</del>	\$3.73 <del>4.50</del>	\$365.54 <del>540.00</del>	33.33 <del>50.00%</del>	\$121.83 <del>270.00</del>	21.48 <del>00%</del>	\$26.17 <del>56.70</del>
Peas	0.00	\$8.68	\$0.00	33.33%	\$0.00	0.00%	\$0.00
Oats	0.00	\$1.66	\$0.00	33.33%	\$0.00	0.00%	\$0.00
Total Income Per Acre						100.00%	\$167.28 <del>371.23</del>

Value per acre equals net income per acre divided by Cap rate:

Total Income Per Acre \$167.28		Expenses
Water	=	\$23.00
Fertilizer	=	\$14.77
Chemicals	=	\$9.04
Seed	=	\$2.05
Management	=	\$8.36
Harvest	=	\$14.67
Total Expense Per Acre	=	\$71.89
Net Income	=	\$95.39
Cap Rate	=	9.35%
Value Per Acre	=	\$1,020

<i>Total Gross Income Per Acre</i>	<i>\$371.23</i>
<i>Less Water Costs</i>	<i>\$26.00</i>
<i>Less Electricity Cost</i>	<i>\$20.00</i>
<i>Less Management (@.5%)</i>	<i>\$18.56</i>
<i>Less Landlord Share of Fertilizer Cost</i>	<i>\$60.00</i>
<i>Less Landlord Share of Chemicals Cost</i>	<i>\$32.00</i>
<i>Less Landlord Share of Seed Cost</i>	<i>\$27.00</i>
<i>Less Landlord Share of Harvest Cost</i>	<i>\$69.00</i>
<i>Less Income Attributable to Exempt Irrigation Equipment</i>	<i>\$2.32</i>
<i>Total Net Income Per Acre</i>	<i>\$116.35</i>
<i>Capitalization Rate</i>	<i>6.96%</i>
<i>Crop Share Value Per Acre</i>	<i>\$1671.69</i>

(4-7-11)

05. Combination of Cash Rent and Crop Share Analysis Example:

Crops in the Rotation for which Cash Rent agreement data is available:

<u>Crop</u>	<u>Contract Rents Per Acre</u>	<u>Rotation In Percent</u>	<u>Weighted Income Per Acre</u>
<u>Beets</u>	<u>\$300.00</u>	<u>11.00%</u>	<u>\$33.00</u>
<u>Potatoes</u>	<u>\$350.00</u>	<u>9.00%</u>	<u>\$31.50</u>
	<u>Total</u>	<u>20.00</u>	<u>\$64.50</u>

<u>Total Gross Income for Cash Rent Portion</u>	<u>\$64.50</u>
<u>Less Cash Rent Rotation % of Water Cost (20%)</u>	<u>\$5.20</u>
<u>Less Cash Rent Rotation % of Electricity Cost (20%)</u>	<u>\$4.00</u>
<u>Less Management (@.5%)</u>	<u>\$3.23</u>
<u>Less Income Attributable to Exempt Irrigation Equipment</u>	<u>\$0.46</u>
<u>Total Net Income for Cash Rent Portion</u>	<u>\$51.61</u>

Crops in the Rotation for Crop Share Agreement Analysis:

<u>Crop</u>	<u>Yield</u>	<u>Price</u>	<u>Gross Income</u>	<u>Landlord Share</u>	<u>Landlord Share Gross Income to Land</u>	<u>Rotation Percent</u>	<u>Per Acre Share of Gross Inc. to Land</u>
<u>Barley</u>	<u>130.00</u>	<u>\$3.00</u>	<u>\$390.00</u>	<u>50.00%</u>	<u>\$195.00</u>	<u>14.00%</u>	<u>\$27.30</u>
<u>Beans</u>	<u>25.00</u>	<u>\$27.00</u>	<u>\$675.00</u>	<u>50.00%</u>	<u>\$337.50</u>	<u>22.00%</u>	<u>\$74.25</u>
<u>Hay</u>	<u>6.00</u>	<u>\$120.00</u>	<u>\$720.00</u>	<u>50.00%</u>	<u>\$360.00</u>	<u>23.00%</u>	<u>\$82.80</u>
<u>Wheat</u>	<u>120.00</u>	<u>\$4.50</u>	<u>\$540.00</u>	<u>50.00%</u>	<u>\$270.00</u>	<u>21.00%</u>	<u>\$56.70</u>
					<u>Total</u>	<u>80.00%</u>	<u>\$241.05</u>

<u>Total Gross Income for Crop Share Portion</u>	<u>\$241.05</u>
<u>Less Crop Share Rotation % of Water Cost (80%)</u>	<u>\$20.80</u>
<u>Less Crop Share Rotation % of Electricity Cost (80%)</u>	<u>\$16.00</u>
<u>Less Management (@.5%)</u>	<u>\$12.05</u>
<u>Less Fertilizer Cost for Crop Share Program</u>	<u>\$38.00</u>
<u>Less Chemicals Cost for Crop Share Program</u>	<u>\$14.00</u>
<u>Less Seed Cost for Crop Share Program</u>	<u>\$13.00</u>
<u>Less Harvest Cost for Crop Share Program</u>	<u>\$49.00</u>

<i>Total Gross Income for Crop Share Portion</i>	<i>\$241.05</i>
<i>Less Income Attributable to Exempt Irrigation Equipment (80%)</i>	<i>\$1.86</i>
<i>Total Net Income for Crop Share Portion</i>	<i>\$76.34</i>
<i>Total Combined Cash Rent + Crop Share Net Income</i>	<i>\$127.95</i>
<i>Capitalization Rate</i>	<i>6.96%</i>
<i>Value Per Acre</i>	<i>\$1838.36</i>

        

06. **Cross Reference.** For definitions and general principles relating to the taxable value of land actively devoted to agriculture, see Rule 613 of these rules. For eligibility criteria, see Rule 645 of these rules. For information relating to Christmas tree farms, other annual forest products, and yield tax, see Rule 968 of these rules.  
(3-30-07)

## IDAPA 35 – STATE TAX COMMISSION

### 35.01.06 – HOTEL/MOTEL ROOM AND CAMPGROUND SALES TAX ADMINISTRATIVE RULES

#### DOCKET NO. 35-0106-1901

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

**AUTHORITY:** In compliance with Sections 67-5220(1) & (2), Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Sections 63-105(2), 63-3622O, 63-3624, 67-4711, 67-4718, 67-4917A – C, 50-1043 – 1049, 63-1801 – 63-1804, 63-3612(g), Idaho Code.

**MEETING SCHEDULE:** Negotiated meetings will be scheduled and all scheduled meetings shall be posted and made accessible on the following agency website address: <https://tax.idaho.gov/i-1090.cfm>.

The meeting site(s) 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:

1. Attend the negotiated rulemaking meeting(s), in person or through teleconference, and participate in the negotiation process,
2. Submit written comments to the address below.

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:

**Rule 001** - The Tax Commission will be administering the collection of taxes for additional auditorium districts. This rule currently references only the Greater Boise Auditorium District. This will need to be changed to a more generic reference; Auditorium or Community Center Districts.

**Rule 011** - The Tax Commission will be administering the collection of taxes for additional auditorium districts. This rule currently references only the Greater Boise Auditorium District. This will need to be changed to a more generic reference; Auditorium or Community Center Districts.

**Rule 016** - The Tax Commission will be administering the collection of taxes for additional auditorium districts. This rule currently references only the Greater Boise Auditorium District. This will need to be changed to a more generic reference; Auditorium or Community Center Districts.

**Rule 017** - The Tax Commission will be administering the collection of taxes for additional auditorium districts. This rule currently references only the Greater Boise Auditorium District. This will need to be changed to a more generic reference; Auditorium or Community Center Districts.

**Rule 020** - The Tax Commission will be administering the collection of taxes for additional auditorium districts. This rule currently references only the Greater Boise Auditorium District. This will need to be changed to a more generic reference; Auditorium or Community Center Districts.

**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 (if available), contact Leah Parsons, (208) 334-7531. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the commission web site at the following web address: [www.tax.idaho.gov](http://www.tax.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 May 31, 2019.

Dated this 1st day of May, 2019.

Leah Parsons, Sales Tax Policy Specialist  
State Tax Commission  
800 Park Blvd., Plaza IV  
P.O. Box 36  
Boise, ID 83722-0410  
Phone: (208) 334-7531  
Fax: (208) 334-7690  
[leah.parsons@tax.idaho.gov](mailto:leah.parsons@tax.idaho.gov)

# IDAPA 38 – DEPARTMENT OF ADMINISTRATION

## 38.05.01 – RULES OF THE DIVISION OF PURCHASING

DOCKET NO. 38-0501-1801

### NOTICE OF FINAL RULE – AGENCY FILING

**AUTHORITY:** In compliance with Sections 67-5224 and 67-5291, Idaho Code, notice is hereby given that the legislature has taken action by concurrent resolution on the pending rule promulgated under Docket No. 38-0501-1801. Only that section of the rule effected by Senate Concurrent Resolution (SCR) 103 is being reprinted here as a final rule.

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

Pursuant to **SCR 103**, IDAPA 38.05.01, “Rules of the Division of Purchasing,” the amendment to Section 114, Subsection 02.b., only, adopted as a pending rule under Docket Number **38-0501-1801**, is not consistent with legislative intent and is rejected and declared null, void and of no force and effect. Only Section 114 is reprinted here as affected by SCR 103 following this notice.

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

DATED this 20th day of April, 2019.

Dennis Stevenson  
Administrative Rules Coordinator  
Office of the Administrative Rules Coordinator  
Department of Administration  
P. O. Box 83720, Boise, ID 83720-0306  
E-mail: [rulescoordinator@adm.idaho.gov](mailto:rulescoordinator@adm.idaho.gov)

**The pending rule adopted under this docket was partially rejected by SCR 103.  
The following rule text is the codified final rule and includes the rejected  
pending rule text shown here as underscored and stricken.**

#### 114. INFORMATION TECHNOLOGY RESALE.

**01. Purpose.** The use of resellers is common in the acquisition of information technology; however, the use of a reseller to acquire information technology attempts to separate the application of the State Procurement Act from the contract terms required by the information technology owner for use of the information technology. The requirements of this rule are in place to apply Idaho law to the contract terms required by the information technology owner, when information technology is acquired through a reseller. (3-20-19)

**02. Terms.** All license, sale, or use terms imposed by the information technology owner shall be subject to the following: (3-20-19)

**a.** Licensing, sale, or use terms required by a third party owner of information technology sold through a reseller shall be subject to these rules, specifically including Subsection 112.01 and Paragraph 112.02.a. of these rules. If a contract contains a term prohibited by Section 112 of these rules, the term shall be void pursuant to Section 67-9213, Idaho Code. (3-20-19)

~~*b. The provisions of Section 67-9212, Idaho Code, shall apply to licensing, sale or use terms required by a third party owner of information technology sold through a reseller. Purchasing authorities are not authorized to accept or modify the terms of licensing, sale or use through click wrap, click through or similar acceptance methods unless such acceptance or modification is approved in writing by the administrator. (—)*~~

## IDAPA 47 – DIVISION OF VOCATIONAL REHABILITATION

### 47.01.02 – RULES AND MINIMUM STANDARDS GOVERNING EXTENDED EMPLOYMENT SERVICES

DOCKET NO. 47-0102-1801

#### NOTICE OF FINAL RULE – AGENCY FILING

**AUTHORITY:** In compliance with Sections 67-5224 and 67-5291, Idaho Code, notice is hereby given that the legislature has taken action by concurrent resolution on the pending rule promulgated under Docket No. 47-0102-1801. Only that section of the rule effected by House Concurrent Resolution (HCR) 18 is being reprinted here as a final rule.

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

Pursuant to [HCR 18](#), IDAPA 47.01.02, “Rules and Minimum Standards Governing Extended Employment Services,” the amendment to Section 500, Subsection 03.c., only, adopted as a pending rule under Docket Number [47-0102-1801](#), is not consistent with legislative intent and is rejected and declared null, void and of no force and effect. Only Section 500 is reprinted here as affected by HCR 18 following this notice.

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

DATED this 20th day of April, 2019.

Dennis Stevenson  
Administrative Rules Coordinator  
Office of the Administrative Rules Coordinator  
Department of Administration  
P. O. Box 83720, Boise, ID 83720-0306  
E-mail: [rulescoordinator@adm.idaho.gov](mailto:rulescoordinator@adm.idaho.gov)

**The pending rule adopted under this docket was partially rejected by HCR 18.  
The following rule text is the codified final rule and includes the rejected  
pending rule text shown here as underscored and stricken.**

#### **500. EXTENDED EMPLOYMENT SERVICES CUSTOMER REFERRAL, ELIGIBILITY, AND CASE CLOSURE.**

**01. Application.** An individual can apply for EES through:. (3-20-19)

**a.** Demonstrated need for EES long-term supports. An individual that has a demonstrated need for a specific EES service will be referred to the EES program by a Vocational Rehabilitation Counselor (VRC) employed by IDVR. (3-20-19)

**b.** Individual Informed Choice. An individual who expresses an interest in non-integrated employment and who has received career counseling on integrated employment from a VRC employed by IDVR may be referred to the EES program. IDVR will document completion of career counseling at the time of referral to EES. (3-20-19)

- 02. Application Process.** The application process is complete when the following has occurred: (3-20-19)
- a.** The referring IDVR counselor provides EES with a completed EES referral form; and (3-20-19)
  - b.** The rights and responsibilities form has been reviewed and signed by the applicant and guardian (when applicable); and (3-20-19)
  - c.** The guardianship documentation has been received (when applicable). (3-20-19)
- 03. Eligibility.** Eligibility will be determined for each customer based on the following: (3-20-19)
- a.** For customers requesting non-integrated employment, the EES Program Manager or designee will conduct a records review and interview(s) with the customer and when applicable, the customer's guardian. Based on information gathered, the EES Program Manager or designee will determine if long-term supports are necessary to maintain employment, and that the customer is choosing non-integrated employment. If determined eligible, EES will assist with the informed choice process to select an EES provider. (3-20-19)
  - b.** A customer who has engaged in the VR process and demonstrates a need for long-term supports will be referred to EES by the customer's IDVR counselor. (3-20-19)
  - c.** ~~*Applicants who are eligible for Medicaid Waiver funding must use Medicaid Waiver funding for long term employment support services when the customer's IDVR counselor recommends individual community supported employment for the customer. If, after service needs are assessed, and an individual has service needs greater than what Medicaid will approve for long term job coaching, EES will require Medicaid to provide written documentation denying such funding prior to EES providing this service.*~~ (---)
- 04. Disability Criteria.** Eligible applicants must have a disability that falls into one (1) of four (4) categories described below, and such disability must constitute a barrier to such person maintaining paid employment without long term vocational support: (3-20-19)
- a.** Developmental Disabilities. Pursuant to Section 66-402, Idaho Code, a chronic disability of a person that appears before the age of twenty-two (22) years; and (3-14-07)
    - i.** Is attributable to impairment, such as intellectual disability, cerebral palsy, epilepsy, autism, or other condition found to be closely related to or similar to one (1) of those impairments that requires similar treatment or services, or is attributable to dyslexia resulting from such impairments; (3-29-17)
    - ii.** Results in substantial functional limitations in three (3) or more of the following areas of major life activity: self-care, receptive and expressive language, learning, mobility, self-direction, capacity for independent living, or economic self-sufficiency; and (3-14-07)
    - iii.** Reflects the need for a combination and sequence of special, interdisciplinary or generic care, treatment or other services which are of life-long or extended duration and individually planned and coordinated. (3-14-07)
  - b.** Mental Illness. A person has been assessed by a qualified professional and been diagnosed under DSM-IV or later editions with schizophrenia, schizoaffective disorder, major affective disorder, delusional disorder or borderline personality disorder, in which this psychiatric disorder must be of sufficient severity to cause a disturbance in role performance or coping skills in at least two (2) of these areas on either a continuous or an intermittent (at least once per year) basis: vocational/academic, financial, social/interpersonal, family, basic living skills, housing, community, or health. (3-20-19)
  - c.** Specific Learning Disability. A disorder in one (1) or more of the psychological processes involved in understanding, perceiving, or using language or concepts (spoken or written). A disorder which may manifest itself in problems related to speaking, reading, spelling, or mathematical calculations (or to a lesser extent, listening, thinking, or writing), and seriously limit two (2) or more functional capacities (mobility, communication, self-care,

self-direction, work tolerance or work skills). (3-14-07)

**d.** Traumatic Brain Injury. A traumatically acquired insult to the brain that may cause physical, intellectual, emotional, social, and vocational changes. A closed head injury may be caused by a rapid acceleration/ deceleration, as in a motor vehicle accident. An open head injury is visible insult and may be the result of an accident, gun-shot wound, or other physical injuries. Immediate effects are loss of consciousness, loss of memory, or change in vision, strength, coordination, or sensory function. Anatomical abnormalities may be present, such as cerebral hemorrhage or skull fracture. Long term effects may include physical, cognitive, and psycho-social-behavioral-emotional impairments. (3-14-07)

**05. Case Closure.** Cases will be closed from the EES program for the following reasons and will include documentation in the case record that supports such reason: (3-29-17)

- a.** Unable to locate or contact customer; (3-29-17)
- b.** Customer is eligible for or utilizing Medicaid Waiver services for CSE; (3-20-19)
- c.** Customer's disability is too significant to benefit from services; (3-20-19)
- d.** Customer is non-compliant or has not followed through with EES services; (3-29-17)
- e.** Customer has retired from employment; (3-29-17)
- f.** Customer no longer interested in pursuing employment; (3-20-19)
- g.** Customer no longer needs EES services; (3-29-17)
- h.** Customer has moved out of state; or (3-29-17)
- i.** Death of customer. (3-20-19)

**IDAPA 58 – DEPARTMENT OF ENVIRONMENTAL QUALITY**

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

**DOCKET NO. 58-0101-1902**

**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, 39-115(3), 39-118D and 39-119, 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:** A negotiated rulemaking meeting has been scheduled. Any additional meeting dates will be posted at [www.deq.idaho.gov/58-0101-1902](http://www.deq.idaho.gov/58-0101-1902).

<b>*ORIGINATING LOCATION – LIVE MEETING*</b>	
<b>DEQ State Office Conference Center 1410 N. Hilton, Boise, Idaho</b>	
<b>Tuesday, May 7th, 2019 – 9:00 a.m. to 3:00 p.m. (MDT)</b>	
<b>*TELEPHONE AND WEB CONFERENCE LOCATIONS*</b>	
<b>DEQ Coeur d’Alene Regional Office 2110 Ironwood Parkway Coeur d’Alene, ID 83814</b>	<b>DEQ Lewiston Regional Office 1118 F Street Lewiston, ID 83501</b>
<b>DEQ Twin Falls Regional Office 650 Addison Avenue West, Suite 110 Twin Falls, ID 83301</b>	<b>DEQ Pocatello Regional Office 444 Hospital Way #300 Pocatello, ID 83201</b>
<b>DEQ Idaho Falls Regional Office 900 N. Skyline, Suite B Idaho Falls, ID 83402</b>	
<b>Contact the undersigned by May 3, 2019, to make arrangements for participation by telephone and web conferencing.</b>	

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:** The preliminary draft rule is available at [www.deq.idaho.gov/58-0101-1902](http://www.deq.idaho.gov/58-0101-1902).

**DESCRIPTIVE SUMMARY:** This rulemaking has been initiated to revise the fee structure of a Clean Air Act mandated air permitting program. Major industrial sources of air pollution are required to have a Title V operating

permit. In Idaho, the Title V permitting program is administered by DEQ. The Clean Air Act requires these industrial sources to pay on-going annual fees to cover all reasonable costs associated with the Title V permitting program (Clean Air Act 42 USC 7661a(b)(3) and implementation regulation at 40 CFR 70.9). In January 2018, the Idaho National Laboratory (INL) decreased its emissions such that it will no longer be required to have a Title V operating permit and, therefore, will no longer pay Title V permitting fees. Since the inception of the Title V permitting program, the INL has paid a Title V permitting fee of \$500,000, which covered far more than its share of program costs. Without this significant sum, DEQ must negotiate a revision to the current fee structure to ensure there is sufficient funding to cover the costs of administering the Title V program in Idaho. Collection of the fees is authorized by Sections 39-115(3), 39-118D and 39-119, Idaho Code.

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 the Title V permitting program, conservation and environmental groups, public officials, and members of the public who have an interest in the regulation of air emissions from sources in Idaho may be interested in participating in this rulemaking. Upon conclusion of negotiations, DEQ intends to publish a proposed rule for public comment.

**ASSISTANCE ON TECHNICAL QUESTIONS:** 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.

**SUBMISSION OF WRITTEN COMMENTS:** Written comments may be submitted by mail, fax or email at the address below. The written comment deadline on the preliminary draft rule is May 14, 2019. Information regarding public comment opportunities provided throughout the rulemaking process will be available at [www.deq.idaho.gov/58-0101-1902](http://www.deq.idaho.gov/58-0101-1902) or by contacting the undersigned.

Dated this 1st day of May, 2019.

Paula J. Wilson  
Hearing Coordinator  
Department of Environmental Quality  
1410 N. Hilton  
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. 58-0101-1903**

**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 and 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:** A negotiated rulemaking meeting has been scheduled. Any additional meeting dates will be posted at [www.deq.idaho.gov/58-0101-190](http://www.deq.idaho.gov/58-0101-190).

<b>*ORIGINATING LOCATION – LIVE MEETING*</b>	
<b>DEQ State Office Conference Center 1410 N. Hilton, Boise, Idaho</b>	
<b>Wednesday, May 22nd, 2019 – 9:00 a.m. to 12:30 p.m. (MDT)</b>	
<b>*TELEPHONE AND WEB CONFERENCE LOCATIONS*</b>	
<b>DEQ Coeur d’Alene Regional Office 2110 Ironwood Parkway Coeur d’Alene, ID 83814</b>	<b>DEQ Lewiston Regional Office 1118 F Street Lewiston, ID 83501</b>
<b>DEQ Twin Falls Regional Office 650 Addison Avenue West, Suite 110 Twin Falls, ID 83301</b>	<b>DEQ Pocatello Regional Office 444 Hospital Way #300 Pocatello, ID 83201</b>
<b>DEQ Idaho Falls Regional Office 900 N. Skyline, Suite B Idaho Falls, ID 83402</b>	
<b>Contact the undersigned by May 15, 2019, to make arrangements for participation by telephone and web conferencing.</b>	

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:** The preliminary draft rule is available at [www.deq.idaho.gov/58-0101-1903](http://www.deq.idaho.gov/58-0101-1903).

**DESCRIPTIVE SUMMARY:** DEQ initiated this rulemaking in response to [Executive Order No. 2019-02](#), Red Tape Reduction Act, issued by Governor Little on January 21, 2019. Upon review of its existing rules, DEQ has determined that certain rules are outdated and/or unnecessary. Sections 590-591, 845-848, and 855-859 have been identified for deletion.

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, conservation and environmental groups, public officials, and members of the public who have an interest in the regulation of air emissions from sources in Idaho may be interested in participating in this rulemaking. Upon conclusion of negotiations, DEQ intends to publish a proposed rule for public comment.

**ASSISTANCE ON TECHNICAL QUESTIONS:** 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.

**SUBMISSION OF WRITTEN COMMENTS:** Written comments may be submitted by mail, fax or email at the address below. The written comment deadline on the preliminary draft rule is June 4, 2019. Information regarding public comment opportunities provided throughout the rulemaking process will be available at [www.deq.idaho.gov/58-0101-1903](http://www.deq.idaho.gov/58-0101-1903) or by contacting the undersigned.

Dated this 1st day of May, 2019

Paula J. Wilson  
Hearing Coordinator  
Department of Environmental Quality  
1410 N. Hilton  
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**

## **58.01.13 – RULES FOR ORE PROCESSING BY CYANIDATION**

**DOCKET NO. 58-0113-1901**

### **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 Chapter 1, Title 39, 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:** A negotiated rulemaking meeting has been scheduled. Any additional meeting dates will be posted at [www.deq.idaho.gov/58-0113-1901](http://www.deq.idaho.gov/58-0113-1901)

<b>*ORIGINATING LOCATION – LIVE MEETING*</b>	
<b>DEQ State Office Conference Center 1410 N. Hilton, Boise, Idaho</b>	
<b>Friday, May 3rd, 2019 – 9:00 a.m. to 1:00 p.m. (MDT)</b>	
<b>*TELEPHONE AND WEB CONFERENCE LOCATIONS*</b>	
<b>DEQ Coeur d’Alene Regional Office 2110 Ironwood Parkway Coeur d’Alene, ID 83814</b>	<b>DEQ Lewiston Regional Office 1118 F Street Lewiston, ID 83501</b>
<b>DEQ Twin Falls Regional Office 650 Addison Avenue West, Suite 110 Twin Falls, ID 83301</b>	<b>DEQ Pocatello Regional Office 444 Hospital Way #300 Pocatello, ID 83201</b>
<b>DEQ Idaho Falls Regional Office 900 N. Skyline, Suite B Idaho Falls, ID 83402</b>	
<b>Contact the undersigned by May 2, 2019, to make arrangements for participation by telephone and web conferencing.</b>	

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:** DEQ did not draft a preliminary draft rule for public review prior to the first meeting. The first meeting has been scheduled for the purpose of discussing the current minimum design, construction and closure requirements identified in the “Rules for Ore Processing by Cyanidation,” IDAPA 58.01.13; discussing the areas of improvement identified in the Idaho Mining Association (IMA) letter submitted to the DEQ

Director on March 18, 2019; and setting a path forward for negotiated rulemaking. More information regarding this rule docket is available at [www.deq.idaho.gov/58-0113-1901](http://www.deq.idaho.gov/58-0113-1901).

**DESCRIPTIVE SUMMARY:** The IMA requested, via letter submitted to the Director on March 18, 2019, that DEQ revise the rules to move away from prescriptive design and construction requirements to performance-based outcomes for design, construction and closure. The current rules, adopted by the Idaho Board of Environmental Quality in 2005 and approved by the Idaho Legislature in 2006, adopted minimum design and construction criteria for all cyanidation facilities. IMA's letter to DEQ states that technologies and industry best practices for cyanidation facilities have changed since 2006. Negotiated rulemaking is necessary to evaluate such changes and determine if the rules should be updated. IMA's letter is posted at [www.deq.idaho.gov/58-0113-1901](http://www.deq.idaho.gov/58-0113-1901).

The rules will be evaluated and revised as appropriate to account for current best available technologies or best practices for design, construction and closure of cyanidation facilities that can achieve necessary regulatory goals of protecting human health and the environment. The negotiated rulemaking is anticipated to address the following:

- (1) applicability of the design criteria to different types of cyanidation facilities;
- (2) consideration of a broader range of acceptable materials included in the design;
- (3) broader interpretation of performance and compliance regarding constructibility of leak detection systems;
- (4) variability in design approach based on the physical characteristics of impounded materials; and
- (5) variability in design approach based on the chemical characteristics of impounded materials and process water.

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. IMA, mining companies, companies or individuals with or intending to seek cyanidation permits, conservation and environmental groups, federal environmental and land management agencies, counties, cities, and citizens of Idaho may be interested in participating in this rulemaking. Upon conclusion of negotiations, DEQ intends to publish a proposed rule for public comment.

**ASSISTANCE ON TECHNICAL QUESTIONS:** For assistance on questions concerning this rulemaking, contact Don Carpenter at [don.carpenter@deq.idaho.gov](mailto:don.carpenter@deq.idaho.gov) or (208) 373-0141.

**SUBMISSION OF WRITTEN COMMENTS:** Written comments may be submitted by mail, fax or email at the address below. Information regarding public comment opportunities provided throughout the rulemaking process will be available at [www.deq.idaho.gov/58-0113-1901](http://www.deq.idaho.gov/58-0113-1901) or by contacting the undersigned.

Dated this 1st day of May, 2019.

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

# IDAPA 60 – IDAHO STATE SOIL AND WATER CONSERVATION COMMISSION

## 60.05.01 – RESOURCE CONSERVATION AND RANGELAND DEVELOPMENT PROGRAM

DOCKET NO. 60-0501-1801

### NOTICE OF FINAL RULE – AGENCY FILING

**AUTHORITY:** In compliance with Sections 67-5224 and 67-5291, Idaho Code, notice is hereby given that the legislature has taken action by concurrent resolution on the pending rule promulgated under Docket No. 60-0501-1801. Only those sections of the rule effected by Senate Concurrent Resolution (SCR) 110 are being reprinted here as a final rule.

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

Pursuant to **SCR 110**, IDAPA 60.05.01, “Resource Conservation and Rangeland Development Program,” the amendments to the section name subtext of Section 103, and Section 151, Subsection 01, only, adopted as a pending rule under Docket Number **60-0501-1801**, are not consistent with legislative intent and are rejected and declared null, void and of no force and effect. Only Sections 103 and 151 are reprinted here as affected by SCR 110 following this notice.

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

DATED this 20th day of April, 2019.

Dennis Stevenson  
Administrative Rules Coordinator  
Office of the Administrative Rules Coordinator  
Department of Administration  
P. O. Box 83720, Boise, ID 83720-0306  
E-mail: [rulescoordinator@adm.idaho.gov](mailto:rulescoordinator@adm.idaho.gov)

**The pending rule adopted under this docket was partially rejected by SCR 110.  
The following rule text is the codified final rule and includes the rejected  
pending rule text shown here as ~~underseored and stricken~~.**

#### **103. IMPLEMENTATION OF AGREED TO PRACTICES.**

Once the loan has been approved and the conditions of approval have been met, the ~~The applicant/contractee may, at their own risk, begin installing practices but must not complete the project until the loan has been approved. The applicant/contractee may~~ **must** install practices as identified and scheduled in the resource conservation plan. The ~~applicant/contractee~~ has the responsibility to obtain the appropriate technical assistance. Technical personnel shall ~~must~~ assist the ~~applicant/contractee~~ in implementation activities to ensure that practices are properly designed, constructed, and managed. The ~~applicant/contractee~~ may install practices or subcontract work out to a subcontractor. Whatever method is used, the ~~applicant/contractee~~ shall ~~must~~ be responsible to ensure that the quality of materials and workmanship in the installation of practices meets the approved standards and specifications for each practice.

(4-1-94)

**01. Practice Completion.** Upon completion of the scheduled practice the applicant/contractee must notify the provider of technical assistance. The provider of technical assistance must inspect and document the amount and extent of the installed practice and certify its completion if it meets the quality standards and construction

specifications of the practice and notify the applicant/contractee. If the practice does not meet practice standards and specifications the applicant/contractee must be notified by the provider of technical assistance, in writing, of the deficiencies and what needs to be done so the practice meets standards and specifications. (3-28-19)

**02. Submitting Vouchers and Bills.** (3-29-10)

**a.** The provider of technical assistance must provide a written certification of completion of the project to the Commission. The applicant/contractee must submit invoices, vouchers and bills for the project to the Commission. (3-28-19)

**b.** Up to ninety-five percent (95%) of loan funds can be disbursed toward submitted bills during the loan installment period. The remaining loan funds will be disbursed upon receipt of written certification of project completion from the provider of technical assistance. (3-29-10)

**03. Warrant Requests.** The Commission staff must prepare warrant request(s). The warrant(s) are paid to the order of the contractee(s) and the vendor, and are mailed to the contractee. (3-28-19)

**04. Drawing Loan Funds.** The applicant/contractee must implement the practices as scheduled and the contractee may draw loan funds in multiple disbursements during installation of the project. (3-28-19)

**(BREAK IN CONTINUITY OF SECTIONS)**

**151. LOAN POLICIES.**

**01. Maximum Amount of Any One Loan.** The maximum amount of any one (1) loan shall must be two hundred thousand dollars (\$200,000). (3-29-10)

## HOUSE CONCURRENT RESOLUTION NO. 7

LEGISLATURE OF THE STATE OF IDAHO  
Sixty-fifth Legislature, First Regular Session – 2019

IN THE HOUSE OF REPRESENTATIVES  
HOUSE CONCURRENT RESOLUTION NO. 7  
BY RESOURCES AND CONSERVATION COMMITTEE

A CONCURRENT RESOLUTION STATING FINDINGS OF THE LEGISLATURE AND REJECTING A CERTAIN RULE OF THE DEPARTMENT OF FISH AND GAME RELATING TO RULES GOVERNING THE IMPORTATION, POSSESSION, RELEASE, SALE, OR SALVAGE OF WILDLIFE.

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

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

WHEREAS, it is the finding of the Legislature that certain rules of the Department of Fish and Game relating to Rules Governing the Importation, Possession, Release, Sale, or Salvage of Wildlife are not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-fifth Idaho Legislature, the House of Representatives and the Senate concurring therein, that IDAPA 13.01.10, relating to Rules Governing the Importation, Possession, Release, Sale, or Salvage of Wildlife, adopted as a pending rule under Docket Number **13-0110-1801**, the entire rulemaking docket, be, and the same is hereby rejected and declared null, void, and of no force and effect.

### Statement of Purpose / Fiscal Impact:

#### STATEMENT OF PURPOSE RS26635

This Concurrent Resolution is to reject Docket No. 13-0110-1801 from the Idaho Department of Fish and Game, in its entirety.

#### FISCAL NOTE

There is no fiscal impact because this is a rejection to the change of a current rule.

#### Contact:

Representative Terry Gestrin  
(208) 332-1000

Adopted: February 18, 2019.

## HOUSE CONCURRENT RESOLUTION NO. 17

LEGISLATURE OF THE STATE OF IDAHO  
Sixty-fifth Legislature, First Regular Session – 2019

IN THE HOUSE OF REPRESENTATIVES  
HOUSE CONCURRENT RESOLUTION NO. 17  
BY REVENUE AND TAXATION COMMITTEE

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-fifth Idaho Legislature, the House of Representatives and the Senate concurring therein, that IDAPA 35.01.03, relating to Property Tax Administrative Rules, adopted as a pending rule under Docket Number **35-0103-1803**, the entire rulemaking docket, be, and the same is hereby rejected and declared null, void, and of no force and effect.

### Statement of Purpose / Fiscal Impact:

#### STATEMENT OF PURPOSE RS26677

This Concurrent Resolution is to reject, in its entirety, Docket No. 35-0103-1803 from the Idaho State Tax Commission.

#### FISCAL NOTE

There is no fiscal impact because this is a rejection to the change of a current rule.

#### Contact:

Representative Thyra Stevenson  
(208) 332-1000

Adopted: March 19, 2019.

## HOUSE CONCURRENT RESOLUTION NO. 18

LEGISLATURE OF THE STATE OF IDAHO  
Sixty-fifth Legislature, First Regular Session – 2019

IN THE HOUSE OF REPRESENTATIVES  
HOUSE CONCURRENT RESOLUTION NO. 18  
BY EDUCATION COMMITTEE

A CONCURRENT RESOLUTION STATING FINDINGS OF THE LEGISLATURE AND REJECTING A CERTAIN RULE OF THE DIVISION OF VOCATIONAL REHABILITATION RELATING TO RULES AND MINIMUM STANDARDS GOVERNING EXTENDED EMPLOYMENT SERVICES.

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

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

WHEREAS, it is the finding of the Legislature that certain rules of the Division of Vocational Rehabilitation relating to Rules and Minimum Standards Governing Extended Employment Services are not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-fifth Idaho Legislature, the House of Representatives and the Senate concurring therein, that IDAPA 47.01.02, Rules Governing Rules and Minimum Standards Governing Extended Employment Services, Section 500., Subsection 03.c., adopted as a pending rule under Docket Number **47-0102-1801**, only, be, and the same is hereby rejected and declared null, void, and of no force and effect.

### Statement of Purpose / Fiscal Impact:

#### STATEMENT OF PURPOSE RS26947

This bill rejects the pending rule contained in IDAPA 47.01.02 Section 500., Subsection 03.c., Rules Governing Rules and Minimum Standards Governing Extended Employment Services under Docket Number 47-0102-1801.

#### FISCAL NOTE

This is a rule rejection and has no fiscal impact.

#### Contact:

Representative Barbara Ehardt  
(208) 332-1000  
Representative Ryan Kerby  
(208) 332-1000

Adopted: March 19, 2019.

## SENATE CONCURRENT RESOLUTION NO. 103

LEGISLATURE OF THE STATE OF IDAHO  
Sixty-fifth Legislature, First Regular Session – 2019

IN THE SENATE  
SENATE CONCURRENT RESOLUTION NO. 103  
BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION STATING FINDINGS OF THE LEGISLATURE  
AND REJECTING A CERTAIN RULE OF THE DEPARTMENT OF ADMINISTRATION  
RELATING TO RULES OF THE DIVISION OF PURCHASING.

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

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

WHEREAS, it is the finding of the Legislature that certain rules of the Department of Administration relating to Rules of the Division of Purchasing are not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-fifth Idaho Legislature, the Senate and the House of Representatives concurring therein, that IDAPA 38.05.01, Rules of the Division of Purchasing, Section 114., Subsection 02.b., adopted as a pending rule under Docket Number **38-0501-1801**, only, be, and the same is hereby rejected and declared null, void, and of no force and effect.

### Statement of Purpose / Fiscal Impact:

#### STATEMENT OF PURPOSE RS26921

This resolution rejects a portion of the rules governing the Rules of the Division of Purchasing within the Department of Administration under IDAPA 38.05.01, Docket 38-0501-1801 section 114.02.b related to licensing, sale, or use terms required by a third-party owner of technology sold through a reseller. Section 114.02.b was rejected in its entirety.

#### FISCAL NOTE

There is no fiscal impact because the portion of the rule that is being rejected is related to the method of signing purchasing contracts.

#### Contact:

Senator Mark Harris  
(208) 332-1429

Adopted: March 20, 2019.

## **SENATE CONCURRENT RESOLUTION NO. 106**

LEGISLATURE OF THE STATE OF IDAHO  
Sixty-fifth Legislature, First Regular Session – 2019

IN THE SENATE  
SENATE CONCURRENT RESOLUTION NO. 106  
BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION STATING FINDINGS OF THE LEGISLATURE  
AND REJECTING A CERTAIN RULE OF THE DIVISION OF BUILDING SAFETY  
RELATING TO RULES CONCERNING IDAHO STATE PLUMBING CODE.

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

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

WHEREAS, it is the finding of the Legislature that certain rules of the Division of Building Safety relating to Rules Concerning Idaho State Plumbing Code are not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-fifth Idaho Legislature, the Senate and the House of Representatives concurring therein, that IDAPA 07.02.06, Rules Concerning Idaho State Plumbing Code, Section 011., Subsection 35., adopted as a pending rule under Docket Number **07-0206-1702**, only, be, and the same is hereby rejected and declared null, void, and of no force and effect.

### **Statement of Purpose / Fiscal Impact:**

#### **STATEMENT OF PURPOSE RS26903**

This legislation rejects certain sections of rule of the Idaho Division of Building Safety related to the Idaho Plumbing Code in Docket No. 07-0206-1702, Section 011., Subsection 35.

#### **FISCAL NOTE**

There is no impact to the General Fund because parts of the rule will not go into effect.

#### **Contact:**

Senator Jim L. Patrick  
(208) 332-1318

Adopted: March 25, 2019.

## **SENATE CONCURRENT RESOLUTION NO. 107**

LEGISLATURE OF THE STATE OF IDAHO  
Sixty-fifth Legislature, First Regular Session – 2019

IN THE SENATE  
SENATE CONCURRENT RESOLUTION NO. 107  
BY STATE AFFAIRS COMMITTEE

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-fifth Idaho Legislature, the Senate and the House of Representatives concurring therein, that IDAPA 35.01.03, Property Tax Administrative Rules, Sections 613. and 614., adopted as a pending rule under Docket Number **35-0103-1801**, only, be, and the same are hereby rejected and declared null, void, and of no force and effect.

### **Statement of Purpose / Fiscal Impact:**

#### **STATEMENT OF PURPOSE RS27050**

This legislation rejects certain sections of rule of the Idaho State Tax Commission relating to property tax administrative rules in Docket No. 35-0103-1801, Section 613 and Section 614.

#### **FISCAL NOTE**

There is no impact to the General Fund because parts of the rule will not go into effect.

#### **Contact:**

Senator Jim Rice  
(208) 332-1000

Adopted: March 26, 2019.

**SENATE CONCURRENT RESOLUTION NO. 108**

LEGISLATURE OF THE STATE OF IDAHO  
Sixty-fifth Legislature, First Regular Session – 2019

IN THE SENATE  
SENATE CONCURRENT RESOLUTION NO. 108  
BY STATE AFFAIRS COMMITTEE

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

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

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

WHEREAS, it is the finding of the Legislature that certain rules of the State Tax Commission relating to Sales and Use Tax Administrative Rules are not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-fifth Idaho Legislature, the Senate and the House of Representatives concurring therein, that IDAPA 35.01.02, Sales and Use Tax Administrative Rules, Section 106., Subsection 05.b., adopted as a pending rule under Docket Number **35-0102-1803**, only, be, and the same is hereby rejected and declared null, void, and of no force and effect.

**Statement of Purpose / Fiscal Impact:**

**STATEMENT OF PURPOSE  
RS27051**

This legislation rejects certain sections of rule of the Idaho State Tax Commission relating to sales and use tax administrative rules in Docket No. 35-0102-1803, Section 106, Subsection 05.b.

**FISCAL NOTE**

There is no impact to the General Fund because parts of the rule will not go into effect.

**Contact:**  
Senator Jim Rice  
(208) 332-1000

Adopted: March 26, 2019.

**SENATE CONCURRENT RESOLUTION NO. 109**

LEGISLATURE OF THE STATE OF IDAHO  
Sixty-fifth Legislature, First Regular Session – 2019

IN THE SENATE  
SENATE CONCURRENT RESOLUTION NO. 109  
BY STATE AFFAIRS COMMITTEE

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-fifth Idaho Legislature, the Senate and the House of Representatives concurring therein, that IDAPA 35.01.01, Income Tax Administrative Rules, Section 015., Subsection 02., adopted as a pending rule under Docket Number **35-0101-1801**, only, be, and the same is hereby rejected and declared null, void, and of no force and effect.

**Statement of Purpose / Fiscal Impact:**

**STATEMENT OF PURPOSE  
RS27052**

This legislation rejects certain sections of rule of the Idaho State Tax Commission relating to income tax administrative rules in Docket No. 35-0101-1801, Section 015, Subsection 02.

**FISCAL NOTE**

There is no impact to the General Fund because parts of the rule will not go into effect.

**Contact:**  
Senator Jim Rice  
(208) 332-1000

Adopted: March 26, 2019.

## SENATE CONCURRENT RESOLUTION NO. 110

LEGISLATURE OF THE STATE OF IDAHO  
Sixty-fifth Legislature, First Regular Session – 2019

IN THE SENATE  
SENATE CONCURRENT RESOLUTION NO. 110  
BY JUDICIARY AND RULES COMMITTEE

A CONCURRENT RESOLUTION STATING FINDINGS OF THE LEGISLATURE AND REJECTING  
A CERTAIN RULE OF THE IDAHO SOIL AND WATER CONSERVATION COMMISSION RELATING TO  
THE RESOURCE CONSERVATION AND RANGELAND DEVELOPMENT PROGRAM.

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

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

WHEREAS, it is the finding of the Legislature that certain rules of the Idaho Soil and Water Conservation Commission relating to the Resource Conservation and Rangeland Development Program are not consistent with legislative intent and should be rejected.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-fifth Idaho Legislature, the Senate and the House of Representatives concurring therein, that IDAPA 60.05.01, relating to the Resource Conservation and Rangeland Development Program, Section 103., and Section 151., Subsection 01., adopted as a pending rule under Docket Number **60-0501-1801**, only, be, and the same are hereby rejected and declared null, void, and of no force and effect.

### Statement of Purpose / Fiscal Impact:

#### STATEMENT OF PURPOSE RS27086

This legislation rejects certain sections of rule of the Idaho State Soil and Water Conservation Commission relating to the Resource Conservation and Rangeland Development Program in Docket No. 60-0501-1801, Section 103, leaving intact all of the remaining subsections of that section, and Section 151, Subsection 03.

#### FISCAL NOTE

There is no fiscal impact to the General Fund.

**Contact:**  
Senator Jim Guthrie  
(208) 332-1000

Adopted: March 28, 2019.

## SENATE CONCURRENT RESOLUTION NO. 113

LEGISLATURE OF THE STATE OF IDAHO  
Sixty-fifth Legislature, First Regular Session – 2019

IN THE SENATE  
SENATE CONCURRENT RESOLUTION NO. 113  
BY STATE AFFAIRS COMMITTEE

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

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-fifth Idaho Legislature, the Senate and the House of Representatives concurring therein, that all temporary rules adopted by state agencies pursuant to the Administrative Procedure Act and submitted to the Legislature at the Legislature's request through the Office of the Administrative Rules Coordinator for review during the 2019 legislative session, be, and the same are approved, with the exception of the following enumerated temporary rules:

IDAPA 25.01.01, the Idaho Outfitters and Guides Licensing Board, concerning Rules of the Idaho Outfitters and Guides Licensing Board, adopted as temporary rules under Docket Number 25-0101-1802, the entire rulemaking docket.

IDAPA 29.01.03, the Idaho Potato Commission, concerning Rules Governing Nominations for Appointment as a Commissioner to the Idaho Potato Commission, adopted as temporary rules under Docket Number 29-0103-1802, the entire rulemaking docket.

BE IT FURTHER RESOLVED that a temporary rule or partial temporary rule approved by this concurrent resolution shall remain in effect until it expires by its own terms or by operation of law or until it is replaced by a final rule, but in no event shall a temporary rule remain in effect beyond the conclusion of the Second Regular Session of the Sixty-fifth Idaho Legislature unless it is further extended by adoption of a concurrent resolution by both houses of the Legislature. Temporary rules or sections of temporary rules which are excepted from approval hereunder or which were not submitted to the Legislature for review during the 2019 legislative session shall expire by operation of statute upon adjournment of the First Regular Session of the Sixty-fifth Idaho Legislature, unless approved by adoption of a separate concurrent resolution by both houses of the Legislature.

### Statement of Purpose / Fiscal Impact:

#### STATEMENT OF PURPOSE RS27126

This concurrent resolution approves all temporary rules adopted by state agencies and submitted to the Legislature for review during the 2019 legislative session, with the exception of the following dockets: for IDAPA 25.01.01, The Idaho Outfitters and Guides Licensing Board, Docket Number 25-0101-1802 in its entirety; and IDAPA 29.01.03, The Idaho Potato Commission concerning Rules Governing Nominations for Appointment as a Commissioner to the Idaho Potato Commission, Docket Number 29-0103-1802 in its entirety.

**FISCAL NOTE**

This legislation accepts the temporary rules and rejects certain temporary rule dockets and will not require funding from the General Fund or local entities.

**Contact:**  
Senator Mark Harris  
(208) 332-1429

Adopted: April 1, 2019.

## SENATE CONCURRENT RESOLUTION NO. 114

LEGISLATURE OF THE STATE OF IDAHO  
Sixty-fifth Legislature, First Regular Session – 2019

IN THE SENATE  
SENATE CONCURRENT RESOLUTION NO. 114  
BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION STATING LEGISLATIVE FINDINGS AND APPROVING ADMINISTRATIVE RULES THAT IMPOSE A FEE OR CHARGE, WITH EXCEPTIONS, AND REJECTING CERTAIN AGENCY RULE DOCKETS THAT ARE NOT APPROVED.

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

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

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

WHEREAS, it is the finding of the Legislature that certain Rules of the Bureau of Occupational Licenses governing Rules of the Barber and Cosmetology Services Licensing Board are not consistent with legislative intent; and

WHEREAS, it is the finding of the Legislature that certain Rules of the Department of Parks and Recreation governing Rules Governing the Administration of Temporary Permits on Lands Owned by the Idaho Department of Parks and Recreation are not consistent with legislative intent; and

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

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-fifth Idaho Legislature, the Senate and the House of Representatives concurring therein, that all pending administrative rules or portions of pending administrative rules adopted by state agencies pursuant to the Administrative Procedure Act during the prior calendar year, and submitted through the Office of the Administrative Rules Coordinator to the Legislature for review during the 2019 legislative session, which impose a fee or charge, be, and the same are approved, with the exception of the following enumerated pending fee rules:

IDAPA 24.28.01, Rules of the Bureau of Occupational Licenses, Rules of the Barber and Cosmetology Services Licensing Board, Section 851., Subsections 05., 06., and 07., only, adopted as pending fee rules under Docket Number 24-2801-1802.

IDAPA 26.01.10, Rules of the Department of Parks and Recreation, Rules Governing the Administration of Temporary Permits on Lands Owned by the Idaho Department of Parks and Recreation, adopted as pending fee rules under Docket Number 26-0110-1701, the entire rulemaking docket.

BE IT FURTHER RESOLVED that IDAPA 24.28.01, Rules of the Bureau of Occupational Licenses, Rules of the Barber and Cosmetology Services Licensing Board, Section 851., Subsections 05., 06., and 07., only, adopted as pending fee rules under Docket Number 24-2801-1802, and IDAPA 26.01.10, Rules of the Department of Parks and Recreation, Rules Governing the Administration of Temporary Permits on Lands Owned by the Idaho Department of Parks and Recreation, adopted as pending fee rules under Docket Number 26-0110-1701, the entire rulemaking docket, are hereby rejected and not approved, and thereby pursuant to Section 67-5291 and Section 67-5224, Idaho Code, are declared null, void, and of no force and effect.

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

**Statement of Purpose / Fiscal Impact:**

**STATEMENT OF PURPOSE**  
**RS27127**

This concurrent resolution approves pending administrative rules, or portions thereof, that impose a fee or charge adopted by state agencies during the prior calendar year and submitted to the Legislature for review during the 2019 legislative session except for the following enumerated dockets, or portions thereof, which were rejected: IDAPA 24.28.01, Rules of the Bureau of Occupational Licenses, Rules of the Barber and Cosmetology Services Licensing Board, Section 851., Subsections 05., 06., and 07., only, adopted as pending fee rules under Docket Number 24-2801-1802; and IDAPA 26-01.10, Rules of the Department of Parks and Recreation, Rules Governing the Administration of Temporary Permits on Lands owned by the Idaho Department of Parks and Recreation, adopted as pending fee rules under Docket Number 26-0110-1701, the entire rulemaking docket.

**FISCAL NOTE**

This legislation accepts the administrative rules and rejects certain administrative rules dockets. It does not require funding from the General Fund or local entities.

**Contact:**  
Senator Mark Harris  
(208) 332-1429

Adopted: April 1, 2019.

# Sections Affected Index

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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**

***THERE ARE NO PROPOSED RULES PUBLISHED  
IN THE May 1, 2019, IDAHO ADMINISTRATIVE BULLETIN, VOL. 19-5.***

Please refer to the Idaho Administrative Bulletin, [May 1, 2019, Vol. 19-5](#), for notices and text of all rulemakings, public hearings schedules, details on negotiated rulemaking, executive orders of the Governor, and agency contact information.

*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, P.O. Box 83720, Boise, ID 83720-0306  
Phone: 208-332-1820; Email: [adminrules@adm.idaho.gov](mailto:adminrules@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 28, 2018 – May 1, 2019*

*(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)  
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- 01-0101-1802** Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-7
- 01-0101-1801** Proposed Rulemaking, Bulletin Vol. 18-9
- 01-0101-1802** Proposed Rulemaking, Bulletin Vol. 18-9
- 01-0101-1801** Adoption of Pending Rule, Bulletin Vol. 18-12 (PLR 2019)
- 01-0101-1802** Adoption of Pending Rule, Bulletin Vol. 18-12 (PLR 2019)
- 01-0101-1801** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)
- 01-0101-1802** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

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- 02-0104-1801\*** Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-6 (\*Rulemaking terminated by agency)
- 02-0104-1901** Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 19-5

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- 02-0214-1801** Adoption of Pending Rule, Bulletin Vol. 18-9 (PLR 2019)
- 02-0214-1801** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)
- 02-0214-1901** Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 19-5

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- 02-0408-1801** Adoption of Pending Rule, Bulletin Vol. 18-11 (PLR 2019)
- 02-0408-1801** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

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- 02-0409-1801** Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-6
- 02-0409-1801** Proposed Rulemaking, Bulletin Vol. 18-9
- 02-0409-1801** Adoption of Pending Rule, Bulletin Vol. 18-11 (PLR 2019)
- 02-0409-1801** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

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- 02-0413-1801** Proposed Rulemaking, Bulletin Vol. 18-9
- 02-0413-1801** Adoption of Pending Rule, Bulletin Vol. 18-11 (PLR 2019)
- 02-0413-1801** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

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- 02-0414-1801\*** 2nd Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-10  
(\*Rulemaking terminated by agency)

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- 02-0429-1801** Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-7
- 02-0429-1801** Proposed Rulemaking, Bulletin Vol. 18-9
- 02-0429-1801** Adoption of Pending Rule, Bulletin Vol. 18-11 (PLR 2019)
- 02-0429-1801** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

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- 02-0501-1801** Notice of Intent to Promulgate a Rule – Negotiated Rulemaking (New Chapter), Bulletin Vol. 18-5
- 02-0501-1801** Proposed Rulemaking (New Chapter), Bulletin Vol. 18-7
- 02-0501-1801** Adoption of Pending Rule (New Chapter), Bulletin Vol. 18-9 (PLR 2019)
- 02-0501-1801** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

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- 02-0601-1801** Proposed Rulemaking (Fee Rule), Bulletin Vol. 18-9
- 02-0601-1801** Adoption of Pending Fee Rule, Bulletin Vol. 18-11 (PLR 2019)
- 02-0601-1801** OARC Omnibus Notice of Legislative Action - Approval of Pending Fee Rule SCR 114, Bulletin Vol. 19-5 (eff. 4-1-19)

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- 02-0602-1801** Proposed Rulemaking, Bulletin Vol. 18-9
- 02-0602-1801** Adoption of Pending Rule, Bulletin Vol. 18-11 (PLR 2019)
- 02-0602-1801** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

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- 02-0612-1801** Adoption of Pending Rule, Bulletin Vol. 18-11 (PLR 2019)
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- 02-0641-1801** Proposed Rulemaking, Bulletin Vol. 18-9
- 02-0641-1801** Adoption of Pending Rule, Bulletin Vol. 18-11 (PLR 2019)
- 02-0641-1801** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

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- 02-0801-1801** Proposed Rulemaking, Bulletin Vol. 18-11
- 02-0801-1801** Adoption of Pending Rule, Bulletin Vol. 19-1 (PLR 2019)
- 02-0801-1801** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

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- 07-0101-1801** Proposed Rulemaking, Bulletin Vol. 18-9
- 07-0101-1801** Adoption of Pending Rule, Bulletin Vol. 18-11 (PLR 2019)
- 07-0101-1801\*** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)  
(\*Rulemaking changes chapter name from: “Rules Governing Electrical Inspection Tags”  
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- 07-0102-1801** Proposed Rulemaking (Fee Rule), Bulletin Vol. 18-9
- 07-0102-1801** Adoption of Pending Fee Rule, Bulletin Vol. 18-11 (PLR 2019)
- 07-0102-1801\*** OARC Omnibus Notice of Legislative Action - Approval of Pending Fee Rule SCR 114, Bulletin Vol. 19-5 (eff. 4-1-19)  
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- 07-0103-1801** Proposed Rulemaking, Bulletin Vol. 18-9
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- 07-0103-1801** Adoption of Pending Rule, Bulletin Vol. 18-11 (PLR 2019)
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- 07-0103-1802** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)
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- 07-0104-1801** Adoption of Pending Rule, Bulletin Vol. 18-11 (PLR 2019)
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- 07-0105-1801** Adoption of Pending Rule, Bulletin Vol. 18-11 (PLR 2019)
- 07-0105-1801** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

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- 07-0106-1801** Proposed Rulemaking, Bulletin Vol. 18-9
- 07-0106-1801** Adoption of Pending Rule, Bulletin Vol. 18-11 (PLR 2019)
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- 07-0107-1801** Proposed Rulemaking, Bulletin Vol. 18-9
- 07-0107-1801** Adoption of Pending Rule, Bulletin Vol. 18-11 (PLR 2019)
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- 07-0108-1801** Proposed Rulemaking, Bulletin Vol. 18-9
- 07-0108-1801** Adoption of Pending Rule, Bulletin Vol. 18-11 (PLR 2019)
- 07-0108-1801\*** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)  
*(\*Rulemaking changes chapter name from: “Rules Governing Electrical Inspection Tag Appeals”  
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- 07-0111-1801** Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-7
- 07-0111-1801** Proposed Rulemaking, Bulletin Vol. 18-9
- 07-0111-1801** Adoption of Pending Rule, Bulletin Vol. 18-11 (PLR 2019)
- 07-0111-1801** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

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- 07-0301-1801 Adoption of Pending Rule, Bulletin Vol. 18-12 (PLR 2019)
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- 07-0701-1703 Proposed Rulemaking, Bulletin Vol. 18-8
- 07-0701-1703 Adoption of Pending Rule, Bulletin Vol. 18-10 (eff. PLR 2019)
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- 07-1001-1801 Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-5
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- 07-1001-1801 Adoption of Pending Rule, Bulletin Vol. 18-11 (PLR 2019)
- 07-1001-1801 OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

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- 08-0104-1801 Proposed Rulemaking, Bulletin Vol. 18-10
- 08-0104-1801 Adoption of Pending Rule, Bulletin Vol. 19-1 (PLR 2019)
- 08-0104-1801 OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

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- 08-0113-1802\*** Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-7  
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**08-0202-1804** Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-7  
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**08-0202-1804** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

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- 08-0203-1801** Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-2  
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- 08-0501-1801** Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-7  
**08-0501-1801** Proposed Rulemaking, Bulletin Vol. 18-10  
**08-0501-1801** Adoption of Pending Rule, Bulletin Vol. 19-1 (PLR 2019)  
**08-0501-1801** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

**IDAPA 09 – IDAHO DEPARTMENT OF LABOR****09.01.30, Unemployment Insurance Benefits Administration Rules**

- 09-0130-1901** Notice of Adoption of Temporary Rule, Bulletin Vol. 19-3 (eff. 3-6-19)T  
**09-0130-1902** Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 19-5

09-0130-1903 Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 19-5

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

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

- 10-0101-1801 Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-6
- 10-0101-1802 Adoption of Temporary Rule, Bulletin Vol. 18-7 (eff. 7-1-18)T
- 10-0101-1801 Proposed Rulemaking, Bulletin Vol. 18-8
- 10-0101-1801 Adoption of Pending Rule, Bulletin Vol. 18-10 (eff. PLR 2019)
- 10-0101-1801 OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

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

- 10-0102-1801 Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-6
- 10-0102-1801 Proposed Rulemaking, Bulletin Vol. 18-8
- 10-0102-1801 Adoption of Pending Rule, Bulletin Vol. 18-10 (eff. PLR 2019)
- 10-0102-1801 OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

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#### **Idaho State Brand Board**

##### ***11.02.01, Rules of the Idaho State Brand Board***

- 11-0201-1701 Temporary and Proposed Rulemaking (Fee Rule), Bulletin Vol. 17-11 (eff. 10-2-17)T
- 11-0201-1701 Notice of Public Hearing (Fee Rule), Bulletin Vol. 18-2
- 11-0201-1701 OARC Omnibus Notice of Legislative Action-Extension of Temporary Rule by SCR 150, Bulletin Vol. 18-5 (eff. 10-2-17)T
- 11-0201-1701 Notice of Vacation of Proposed Rulemaking, Bulletin Vol. 18-6
- 11-0201-1801 Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-6
- 11-0201-1801 Proposed Rulemaking (Fee Rule), Bulletin Vol. 18-10
- 11-0201-1801 Adoption of Pending Fee Rule, Bulletin Vol. 19-1 (PLR 2019)
- 11-0201-1801 OARC Omnibus Notice of Legislative Action - Approval of Pending Fee Rule SCR 114, Bulletin Vol. 19-5 (eff. 4-1-19)

#### **Idaho State Forensic Laboratory**

##### ***11.03.01, Rules Governing Alcohol Testing***

- 11-0301-1801 Adoption of Temporary Rule, Bulletin Vol. 18-1 (eff. 12-14-17)T
- 11-0301-1801 OARC Omnibus Notice of Legislative Action-Extension of Temporary Rule by SCR150, Bulletin Vol. 18-5 (eff. 12-14-17)T
- 11-0301-1801 OARC Omnibus Notice of Legislative Action-Extension of Temporary Rule by SCR113, Bulletin Vol. 19-5 (eff. 12-14-19)T

#### **Idaho State Racing Commission**

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

- 11-0403-1801 Adoption of Temporary Rule, Bulletin Vol. 18-11 (eff. 9-17-18)T
- 11-0403-1801 OARC Omnibus Notice of Legislative Action-Extension of Temporary Rule by SCR 113, Bulletin Vol. 19-5 (eff. 9-17-18)T

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

- 11-0411-1801\* Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 18-3 (\*Rulemaking terminated by agency)
- 11-0411-1802 Adoption of Temporary Rule, Bulletin Vol. 18-11 (eff. 9-17-18)T
- 11-0411-1802 OARC Omnibus Notice of Legislative Action-Extension of Temporary Rule by SCR 113, Bulletin Vol. 19-5 (eff. 9-17-18)T

##### ***11.06.01, Rules Governing Civil Asset Forfeiture Reporting***

- 11-0601-1901 Adoption of Temporary Rule, Bulletin Vol. 19-3 (eff. 2-7-19)T

## Public Safety and Security Information Bureau

### *11.10.02, Rules Governing State Criminal History Records and Crime Information*

**11-1002-1901** Adoption of Temporary Rule, Bulletin Vol. 19-3 (eff. 2-5-19)T

## Peace Officer Standards and Training (POST) Council

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

**11-1101-1901** Adoption of Temporary Rule, Bulletin Vol. 19-4 (eff. 3-14-19)T

## ***IDAPA 12 – DEPARTMENT OF FINANCE***

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

**12-0108-1801** Proposed Rulemaking, Bulletin Vol. 18-8

**12-0108-1801** Adoption of Pending Rule, Bulletin Vol. 18-11 (eff. PLR 2019)

**12-0108-1801** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

### *12.01.09, Idaho Credit Code Rules of the Idaho Department of Finance*

**12-0109-1801** Proposed Rulemaking, Bulletin Vol. 18-9

**12-0109-1801** Adoption of Pending Rule, Bulletin Vol. 18-11 (eff. PLR 2019)

**12-0109-1801** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

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

**12-0110-1801** Proposed Rulemaking, Bulletin Vol. 18-9

**12-0110-1801** Adoption of Pending Rule, Bulletin Vol. 18-11 (eff. PLR 2019)

**12-0110-1801** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

### *12.01.11, Rules Pursuant to the Idaho Collection Agency Act*

**12-0111-1801** Proposed Rulemaking (New Chapter), Bulletin Vol. 18-9

**12-0111-1801** Adoption of Pending Rule, Bulletin Vol. 18-11 (eff. PLR 2019)

**12-0111-1801** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

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

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

**13-0102-1801** Proposed Rulemaking, Bulletin Vol. 18-7

**13-0102-1801** Adoption of Pending Rule, Bulletin Vol. 19-1 (PLR 2019)

**13-0102-1801** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

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

**13-0107-1801P** Notice of Proclamation of Rulemaking, Bulletin Vol. 18-3

**13-0107-1801AP** Notice of Amended Proclamation of Rulemaking, Bulletin Vol. 18-10

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

**13-0108-1701P\*** Notice of Proposed Proclamation, Bulletin Vol. 17-5

**13-0108-1701AP\*** Notice of Amended Proclamation of Rulemaking, Bulletin Vol. 18-5

**13-0108-1801P** Notice of Proclamation of Rulemaking, Bulletin Vol. 18-5

**13-0108-1802** Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-6

**13-0108-1803** Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-6

**13-0108-1804** Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-6

**13-0108-1701AAP\*** Notice of Amended Amended Proclamation of Rulemaking, Bulletin Vol. 18-9

- [13-0108-1802](#) Proposed Rulemaking, Bulletin Vol. 18-10
- [13-0108-1803](#) Proposed Rulemaking, Bulletin Vol. 18-10
- [13-0108-1804](#) Proposed Rulemaking, Bulletin Vol. 18-10
- [13-0108-1805](#) Temporary and Proposed Rulemaking, Bulletin Vol. 18-10 (eff. 12-1-18)T
- [13-0108-1802](#) Adoption of Pending Rule, Bulletin Vol. 19-1 (PLR 2019)
- [13-0108-1803](#) Adoption of Pending Rule, Bulletin Vol. 19-1 (PLR 2019)
- [13-0108-1804](#) Adoption of Pending Rule, Bulletin Vol. 19-1 (PLR 2019)
- [13-0108-1805](#) Adoption of Pending Rule, Bulletin Vol. 19-1 (PLR 2019)
- [13-0108-1901P](#) Notice of Proclamation of Rulemaking, Bulletin Vol. 19-2
- [13-0108-1902P](#) Notice of Proclamation of Rulemaking, Bulletin Vol. 19-4
- [13-0108-1802](#) OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)
- [13-0108-1803](#) OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)
- [13-0108-1804](#) OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)
- [13-0108-1805](#) OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

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

- [13-0109-1801P](#) Notice of Proclamation of Rulemaking, Bulletin Vol. 18-3
- [13-0109-1802P](#) Notice of Proclamation of Rulemaking, Bulletin Vol. 18-5
- [13-0109-1803](#) Temporary and Proposed Rulemaking, Bulletin Vol. 18-7 (eff. 5-10-18)T
- [13-0109-1804P](#) Notice of Proclamation of Rulemaking, Bulletin Vol. 18-10
- [13-0109-1805](#) Proposed Rulemaking, Bulletin Vol. 18-10
- [13-0109-1803](#) Adoption of Pending Rule, Bulletin Vol. 19-1 (PLR 2019)
- [13-0109-1805](#) Adoption of Pending Rule, Bulletin Vol. 19-1 (PLR 2019)
- [13-0109-1803](#) OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)
- [13-0109-1805](#) OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

***13.01.10, Rules Governing the Importation, Possession, Release, Sale, or Salvage of Wildlife***

- [13-0110-1801](#) Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-6
- [13-0110-1801](#) Proposed Rulemaking, Bulletin Vol. 18-9
- [13-0110-1802](#) Temporary and Proposed Rulemaking, Bulletin Vol. 18-10 (eff. 7-26-18)T
- [13-0110-1801](#) Adoption of Pending Rule, Bulletin Vol. 19-1 (PLR 2019)
- [13-0110-1802](#) Adoption of Pending Rule, Bulletin Vol. 19-1 (PLR 2019)
- [13-0110-1801](#) OARC Omnibus Notice of Legislative Action - Rejection of Pending Rule HCR 7, Bulletin Vol. 19-5 (Null and Void)
- [13-0110-1802](#) OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

***13.01.11, Rules Governing Fish***

- [13-0111-1801P](#) Notice of Proclamation of Rulemaking, Bulletin Vol. 18-2
- [13-0111-1802P\\*](#) Notice of Proclamation of Rulemaking, Bulletin Vol. 18-5
- [13-0111-1802AP\\*](#) Notice of Amended Proclamation of Rulemaking, Bulletin Vol. 18-7
- [13-0111-1803P](#) Notice of Proclamation of Rulemaking, Bulletin Vol. 18-7
- [13-0111-1802AAP\\*](#) Notice of Amended Proclamation of Rulemaking, Bulletin Vol. 18-8
- [13-0111-1803AP\\*](#) Notice of Amended Proclamation of Rulemaking, Bulletin Vol. 18-8
- [13-0111-1804P](#) Notice of Proclamation of Rulemaking, Bulletin Vol. 18-8
- [13-0111-1805P](#) Notice of Proclamation of Rulemaking, Bulletin Vol. 18-9
- [13-0111-1801AP\\*](#) Notice of Amended Proclamation, Bulletin Vol. 19-1
- [13-0111-1901P](#) Notice of Proclamation, Bulletin Vol. 19-1
- [13-0111-1902P](#) Notice of Proclamation of Rulemaking, Bulletin Vol. 19-4

***13.01.14, Rules Governing Falconry***

- [13-0114-1901P](#) Notice of Proclamation of Rulemaking, Bulletin Vol. 19-4

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

- [13-0116-1801P](#) Notice of Proclamation of Rulemaking, Bulletin Vol. 18-3
- [13-0116-1802](#) Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-6
- [13-0116-1803](#) Temporary and Proposed Rulemaking, Bulletin Vol. 18-7 (eff. 5-10-18)T
- [13-0116-1802](#) Proposed Rulemaking, Bulletin Vol. 18-10

- 13-0116-1802 Adoption of Pending Rule, Bulletin Vol. 19-1 (PLR 2019)
- 13-0116-1803 Adoption of Pending Rule, Bulletin Vol. 19-1 (PLR 2019)
- 13-0116-1802 OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)
- 13-0116-1803 OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

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

- 13-0117-1801 Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-6
- 13-0117-1802 Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-6
- 13-0117-1802 Temporary and Proposed Rulemaking, Bulletin Vol. 18-9 (eff. 7-26-18)T
- 13-0117-1801 Proposed Rulemaking, Bulletin Vol. 18-10
- 13-0117-1801 Adoption of Pending Rule, Bulletin Vol. 19-1 (PLR 2019)
- 13-0117-1802 Adoption of Pending Rule, Bulletin Vol. 19-1 (PLR 2019)
- 13-0117-1801 OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)
- 13-0117-1802 OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

**13.01.18, Rules Governing Emergency Feeding of Pronghorn Antelope, Elk, and Deer**

- 13-0118-1801 Proposed Rulemaking, Bulletin Vol. 18-9
- 13-0118-1801 Adoption of Pending Rule, Bulletin Vol. 19-1 (PLR 2019)
- 13-0118-1801\* OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

(\*Rulemaking changes chapter name from: “Rules Governing Emergency Feeding of Antelope, Elk, and Deer of the Idaho Fish and Game Commission” to: “Rules Governing Emergency Feeding of Pronghorn Antelope, Elk, and Deer”)

**IDAPA 15 – OFFICE OF THE GOVERNOR**

**Executive Orders of the Governor**

- Executive Order No. **2019-01** Licensing Freedom Act of 2019, Bulletin Vol. 19-2
- Executive Order No. **2019-02** Red Tape Reduction Act, Bulletin Vol. 19-2
- Executive Order No. **2018-01** Creating the Autonomous and Connected Vehicle and Deployment Committee, Bulletin Vol. 18-2
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- Executive Order No. **2018-06** Continuation of a State Housing Tax Credit Agency, Bulletin Vol. 18-9
- Executive Order No. **2018-07** Establishing a Policy for Nuclear Energy Production and Manufacturing in Idaho, Bulletin Vol. 18-9

**Office of Information Technology Services**

*(Rule moved and reindexed from IDAPA 38.06.01 – eff. 7-1-18)*

**15.07.01, Rules Governing Billing Procedures of the Office of Information Technology Services**

- 15-0701-1800 Notice of Legislative Action Creating the Office of Information Technology Services (ITS) and Transferring Rulemaking Authority from the Department of Administration’s Office of the Chief Information Officer to ITS - House Bill 607, Bulletin Vol. 18-6 (eff. 7-1-18)

**IDAPA 16 – DEPARTMENT OF HEALTH AND WELFARE**

**16.01.02, Emergency Medical Services (EMS) – Rule Definitions**

- 16-0102-1801 Temporary and Proposed Rulemaking, Bulletin Vol. 18-7 (eff. 7-1-18)T
- 16-0102-1801 Adoption of Pending Rule, Bulletin Vol. 19-1 (PLR 2019)
- 16-0102-1801 OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

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

- 16-0103-1801 Temporary and Proposed Rulemaking, Bulletin Vol. 18-7 (eff. 7-1-18)T
- 16-0103-1801 Adoption of Pending Rule, Bulletin Vol. 19-1 (PLR 2019)
- 16-0103-1801 OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)
- 16-0103-1901 Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 19-5

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

- 16-0107-1801 Temporary and Proposed Rulemaking, Bulletin Vol. 18-7 (eff. 7-1-18)T
- 16-0107-1801 Adoption of Pending Rule, Bulletin Vol. 19-1 (PLR 2019)
- 16-0107-1801 OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)
- 16-0107-1901 Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 19-5

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

- 16-0201-1801 Proposed Rulemaking, Bulletin Vol. 18-10
- 16-0201-1801 Adoption of Pending Rule, Bulletin Vol. 19-1 (PLR 2019)
- 16-0201-1801 OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 7-1-19)

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

- 16-0202-1801 Proposed Rulemaking, Bulletin Vol. 18-10
- 16-0202-1801 Adoption of Pending Rule, Bulletin Vol. 19-1 (PLR 2019)
- 16-0202-1801 OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 7-1-19)

**16.02.08, Vital Statistics Rules**

- 16-0208-1801 Temporary and Proposed Rulemaking, Bulletin Vol. 18-5 (eff. 4-6-18)T
- 16-0208-1802 Proposed Rulemaking, Bulletin Vol. 18-9
- 16-0208-1801 Adoption of Pending Rule, Bulletin Vol. 19-1 (PLR 2019)
- 16-0208-1802 Adoption of Pending Rule, Bulletin Vol. 19-1 (PLR 2019)
- 16-0208-1801 OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)
- 16-0208-1802 OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

**16.02.11, Immunizations Requirements for Children Attending Licensed Day Care Facilities in Idaho**

- 16-0211-1801 Temporary and Proposed Rulemaking, Bulletin Vol. 18-7 (eff. 5-18-18)T
- 16-0211-1801 Adoption of Pending Rule, Bulletin Vol. 19-1 (PLR 2019)
- 16-0211-1801 OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

**16.02.15, Immunization Requirements for Idaho School Children**

- 16-0215-1801 Temporary and Proposed Rulemaking, Bulletin Vol. 18-7 (eff. 5-18-18)T
- 16-0215-1802 Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-7
- 16-0215-1802 Proposed Rulemaking, Bulletin Vol. 18-9
- 16-0215-1801 Adoption of Pending Rule, Bulletin Vol. 19-1 (PLR 2019)
- 16-0215-1802 Adoption of Pending Rule, Bulletin Vol. 19-1 (PLR 2019)
- 16-0215-1801 OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)
- 16-0215-1802 OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

**16.03.03, Rules Governing Child Support Services**

- 16-0303-1801 Proposed Rulemaking (Fee Rule), Bulletin Vol. 18-10
- 16-0303-1801 Notice of Public Hearing, Bulletin Vol. 18-11
- 16-0303-1801 Adoption of Pending Fee Rule, Bulletin Vol. 19-1 (PLR 2019)
- 16-0303-1801 OARC Omnibus Notice of Legislative Action - Approval of Pending Fee Rule by SCR 114, Bulletin Vol. 19-5 (eff. 4-1-19)

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

- 16-0304-1801 Proposed Rulemaking, Bulletin Vol. 18-10
- 16-0304-1801 Adoption of Pending Rule, Bulletin Vol. 18-12 (PLR 2019)
- 16-0304-1801 OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

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

- 16-0308-1801 Proposed Rulemaking, Bulletin Vol. 18-10
- 16-0308-1801 Adoption of Pending Rule, Bulletin Vol. 18-12 (PLR 2019)
- 16-0308-1801 OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

**16.03.09, Medicaid Basic Plan Benefits**

- 16-0309-1801 Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-6
- 16-0309-1802 Temporary and Proposed Rulemaking, Bulletin Vol. 18-7 (eff. 7-1-18)T
- 16-0309-1803\* *Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-7 (\*Rulemaking terminated by agency)*
- 16-0309-1804 Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-7
- 16-0309-1805 Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-7
- 16-0309-1806 Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-7
- 16-0309-1807 Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-7
- 16-0309-1808 Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-7
- 16-0309-1809 Temporary and Proposed Rulemaking, Bulletin Vol. 18-8 (eff. 8-1-18)T
- 16-0309-1801 Proposed Rulemaking, Bulletin Vol. 18-10
- 16-0309-1804 Proposed Rulemaking, Bulletin Vol. 18-10
- 16-0309-1805 Proposed Rulemaking, Bulletin Vol. 18-10
- 16-0309-1806 Proposed Rulemaking, Bulletin Vol. 18-10
- 16-0309-1807 Proposed Rulemaking, Bulletin Vol. 18-10
- 16-0309-1808 Proposed Rulemaking, Bulletin Vol. 18-10
- 16-0309-1810 Proposed Rulemaking, Bulletin Vol. 18-10
- 16-0309-1809 Adoption of Pending Rule, Bulletin Vol. 18-11 (eff. PLR 2019)
- 16-0309-1802 Adoption of Pending Rule and Amendment to Temporary Rule, Bulletin Vol. 18-12 (PLR 2019) / (12-5-18)T
- 16-0309-1801 Adoption of Pending Rule and Adoption of Temporary Rule, Bulletin Vol. 19-1 (PLR 2019) / (1-1-19)T
- 16-0309-1804 Adoption of Pending Rule, Bulletin Vol. 19-1 (PLR 2019)
- 16-0309-1805 Adoption of Pending Rule, Bulletin Vol. 19-1 (PLR 2019)
- 16-0309-1806 Adoption of Pending Rule, Bulletin Vol. 19-1 (PLR 2019)
- 16-0309-1807 Adoption of Pending Rule, Bulletin Vol. 19-1 (PLR 2019)
- 16-0309-1808 Adoption of Pending Rule, Bulletin Vol. 19-1 (PLR 2019)
- 16-0309-1810 Adoption of Pending Rule, Bulletin Vol. 19-1 (PLR 2019)
- 16-0309-1801 OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)
- 16-0309-1802 OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)
- 16-0309-1804 OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 7-1-19)
- 16-0309-1805 OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 7-1-19)
- 16-0309-1806 OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)
- 16-0309-1807 OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)
- 16-0309-1808 OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 7-1-19)
- 16-0309-1809 OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)
- 16-0309-1810 OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 7-1-19)

**16.03.10, Medicaid Enhanced Plan Benefits**

- 16-0310-1704\* *1st Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 17-6 (\*Rulemaking terminated by agency)*
- 16-0310-1704\* *2nd Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 17-12 (\*Rulemaking terminated by agency)*
- 16-0310-1704\* *3rd Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-5 (\*Rulemaking terminated by agency)*
- 16-0310-1801 Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-5
- 16-0310-1802 Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-6
- 16-0310-1803 Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-6
- 16-0310-1804 Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-6
- 16-0310-1805 Temporary and Proposed Rulemaking, Bulletin Vol. 18-7 (eff. 7-1-18)T
- 16-0310-1806\* *Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-7 (\*Rulemaking terminated by agency)*
- 16-0310-1801 Temporary and Proposed Rulemaking, Bulletin Vol. 18-8 (eff. 10-1-18)T
- 16-0310-1802 Proposed Rulemaking, Bulletin Vol. 18-9
- 16-0310-1803 Proposed Rulemaking, Bulletin Vol. 18-9
- 16-0310-1804 Proposed Rulemaking, Bulletin Vol. 18-9
- 16-0310-1807 Temporary and Proposed Rulemaking, Bulletin Vol. 18-10 (eff. 10-4-18)T

- [16-0310-1801](#) Adoption of Pending Rule, Bulletin Vol. 18-11 (eff. PLR 2019)
- [16-0310-1802](#) Adoption of Pending Rule and Adoption of Temporary Rule, Bulletin Vol. 18-12 (PLR 2019) / (1-1-19)T
- [16-0310-1803](#) Adoption of Pending Rule, Bulletin Vol. 18-12 (PLR 2019)
- [16-0310-1804](#) Adoption of Pending Rule, Bulletin Vol. 18-12 (PLR 2019)
- [16-0310-1805](#) Adoption of Pending Rule and Amendment to Temporary Rule, Bulletin Vol. 18-12 (PLR 2019) / (12-5-18)T
- [16-0310-1807](#) Adoption of Pending Rule, Bulletin Vol. 19-1 (PLR 2019)
- [16-0310-1801](#) OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)
- [16-0310-1802](#) OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)
- [16-0310-1803](#) OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 7-1-19)
- [16-0310-1804](#) OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 7-1-19)
- [16-0310-1805](#) OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)
- [16-0310-1807](#) OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

***16.03.14, Rules and Minimum Standards for Hospitals in Idaho***

- [16-0314-1801](#) Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-5
- [16-0314-1801](#) Second (2nd) Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-6
- [16-0314-1801](#) Proposed Rulemaking, Bulletin Vol. 18-9
- [16-0314-1801](#) Adoption of Pending Rule, Bulletin Vol. 19-1 (PLR 2019)
- [16-0314-1801](#) OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 7-1-19)

***16.03.15, Rules Governing Secure Treatment Facility for People with Intellectual or Developmental Disabilities***

- [16-0315-1801](#) Notice of Intent to Promulgate a Rule (New Chapter) – Negotiated Rulemaking, Bulletin Vol. 18-1
- [16-0315-1801](#) Adoption of Temporary Rule and Notice of Public Hearing (New Chapter), Bulletin Vol. 18-4 (eff. 2-22-18)T
- [16-0315-1801](#) Proposed Rulemaking (New Chapter), Bulletin Vol. 18-5
- [16-0315-1801](#) Amendment to Temporary Rule, Bulletin Vol. 19-1 (1-1-19)AT
- [16-0315-1801](#) OARC Omnibus Notice of Legislative Action-Extension of Temporary Rule by SCR 113, Bulletin Vol. 19-5 (eff. 2-22-18)T / (1-1-19)T

***16.03.19, Rules Governing Certified Family Homes***

- [16-0319-1901](#) Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 19-5

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

- [16-0504-1801](#) Proposed Rulemaking, Bulletin Vol. 18-10
- [16-0504-1801](#) Adoption of Pending Rule, Bulletin Vol. 19-1 (PLR 2019)
- [16-0504-1801](#) OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 7-1-19)

***16.05.06, Criminal History and Background Checks***

- [16-0506-1801](#) Temporary and Proposed Rulemaking, Bulletin Vol. 18-7 (eff. 7-1-18)T
- [16-0506-1801](#) Adoption of Pending Rule and Amendment to Temporary Rule, Bulletin Vol. 18-10 (eff. 8-23-18)T (eff. PLR 2019)
- [16-0506-1901](#) Adoption of Temporary Rule, Bulletin Vol. 19-1 (1-1-19)T
- [16-0506-1801](#) OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)
- [16-0506-1901](#) OARC Omnibus Notice of Legislative Action-Extension of Temporary Rule by SCR 113, Bulletin Vol. 19-5 (eff. 1-1-19)T

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

- [16-0612-1801](#) Temporary and Proposed Rulemaking, Bulletin Vol. 18-9 (eff. 10-1-18)T
- [16-0612-1801](#) Adoption of Pending Rule, Bulletin Vol. 18-12 (PLR 2019)
- [16-0612-1801](#) OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

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

- [16-0737-1801](#) Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-7
- [16-0737-1801](#) Proposed Rulemaking, Bulletin Vol. 18-9
- [16-0737-1801](#) Adoption of Pending Rule, Bulletin Vol. 18-12 (PLR 2019)
- [16-0737-1801](#) OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 7-1-19)

***16.07.50, Minimum Standards for Nonhospital, Medically Monitored Detoxification/Mental Health Diversion Units***

- [16-0750-1801](#) Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-7

- 16-0750-1801 Proposed Rulemaking, Bulletin Vol. 18-9
- 16-0750-1801 Adoption of Pending Rule, Bulletin Vol. 19-1 (PLR 2019)
- 16-0750-1801 OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 7-1-19)

### ***IDAPA 17 – INDUSTRIAL COMMISSION***

#### ***17.02.04, Administrative Rules of the IC Under the Worker's Compensation Law – Benefits***

- 17-0204-1801\* Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-6 (\*Rulemaking terminated by agency)
- 17-0204-1802\* Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-6 (\*Rulemaking terminated by agency)

#### ***17.02.06, Employers' Reports***

- 17-0206-1801 Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-6
- 17-0206-1801 Proposed Rulemaking, Bulletin Vol. 18-10
- 17-0206-1801 Adoption of Pending Rule, Bulletin Vol. 18-12 (PLR 2019)
- 17-0206-1801 OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

#### ***17.02.07, Procedures to Obtain Compensation***

- 17-0207-1801 Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-6
- 17-0207-1801 Proposed Rulemaking, Bulletin Vol. 18-10
- 17-0207-1801 Adoption of Pending Rule, Bulletin Vol. 18-12 (PLR 2019)
- 17-0207-1801 OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

#### ***17.02.08, Miscellaneous Provisions***

- 17-0208-1801\* Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-6 (\*Rulemaking terminated by agency)

#### ***17.02.09, Medical Fees***

- 17-0209-1801\* Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-6 (\*Rulemaking terminated by agency)

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

- 17-0210-1801 Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-6
- 17-0210-1802 Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-6
- 17-0210-1801 Proposed Rulemaking, Bulletin Vol. 18-10
- 17-0210-1802 Proposed Rulemaking, Bulletin Vol. 18-10
- 17-0210-1801 Adoption of Pending Rule, Bulletin Vol. 18-12 (PLR 2019)
- 17-0210-1802 Adoption of Pending Rule, Bulletin Vol. 18-12 (PLR 2019)
- 17-0210-1801 OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)
- 17-0210-1802 OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

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

- 17-0211-1801 Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-6
- 17-0211-1802 Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-6
- 17-0211-1801 Proposed Rulemaking, Bulletin Vol. 18-10
- 17-0211-1802 Proposed Rulemaking, Bulletin Vol. 18-10
- 17-0211-1801 Adoption of Pending Rule, Bulletin Vol. 18-12 (PLR 2019)
- 17-0211-1802 Adoption of Pending Rule, Bulletin Vol. 18-12 (PLR 2019)
- 17-0211-1801 OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)
- 17-0211-1802 OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

### ***IDAPA 18 – DEPARTMENT OF INSURANCE***

#### ***18.01.06, Rule to Implement Uniform Coverage for Newborn and Newly Adopted Children***

- 18-0106-1801** Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 18-7
- 18-0106-1801** Proposed Rulemaking, Bulletin Vol. 18-9
- 18-0106-1801** Adoption of Pending Rule, Bulletin Vol. 18-11 (eff. PLR 2019)
- 18-0106-1801** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

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

- 18-0123-1801** Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 18-7
- 18-0123-1801** Proposed Rulemaking, Bulletin Vol. 18-9
- 18-0123-1801** Adoption of Pending Rule, Bulletin Vol. 18-11 (eff. PLR 2019)
- 18-0123-1801** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

***18.01.24, Advertisement of Disability (Accident and Sickness) Insurance***

- 18-0124-1801** Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 18-7
- 18-0124-1801** Proposed Rulemaking, Bulletin Vol. 18-9
- 18-0124-1801** Adoption of Pending Rule, Bulletin Vol. 18-11 (eff. PLR 2019)
- 18-0124-1801** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

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

- 18-0130-1801** Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 18-7
- 18-0130-1801** Proposed Rulemaking, Bulletin Vol. 18-10
- 18-0130-1801** Adoption of Pending Rule, Bulletin Vol. 18-12 (PLR 2019)
- 18-0130-1801** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

***18.01.44, Schedule of Fees, Licenses, and Miscellaneous Charges***

- 18-0144-1801\*** Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 18-7 (\*Rulemaking terminated by agency)

***18.01.49, Fire Protection Sprinkler Contractors***

- 18-0149-1801** Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 18-7
- 18-0149-1801** Proposed Rulemaking, Bulletin Vol. 18-9
- 18-0149-1801** Adoption of Pending Rule, Bulletin Vol. 18-11 (eff. PLR 2019)
- 18-0149-1801** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

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

- 18-0154-1801** Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 18-7
- 18-0154-1801** Proposed Rulemaking, Bulletin Vol. 18-9
- 18-0154-1802** Adoption of Temporary Rule, Bulletin Vol. 18-10 (eff. 10-1-18)T
- 18-0154-1801** Adoption of Pending Rule, Bulletin Vol. 18-11 (eff. PLR 2019)
- 18-0154-1801** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

***18.01.62, Annual Financial Reporting***

- 18-0162-1801** Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 18-7
- 18-0162-1801** Proposed Rulemaking, Bulletin Vol. 18-9
- 18-0162-1801** Adoption of Pending Rule, Bulletin Vol. 18-11 (eff. PLR 2019)
- 18-0162-1801** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

***18.01.70, Rules Governing Small Employer Health Insurance Availability Act Plan Design***

- 18-0170-1801** Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 18-7
- 18-0170-1801** Proposed Rulemaking, Bulletin Vol. 18-10
- 18-0170-1801** Adoption of Pending Rule, Bulletin Vol. 18-12 (PLR 2019)
- 18-0170-1801** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

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

- 19-0101-1801** Adoption of Temporary Rule, Bulletin Vol. 18-3 (eff. 3-30-18)T
- 19-0101-1801** Proposed Rulemaking, Bulletin Vol. 18-5
- 19-0101-1802\*** *Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-6 (\*Rulemaking terminated by agency)*
- 19-0101-1803** Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-6
- 19-0101-1804** Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-6
- 19-0101-1801** Notice of Adoption of Pending Rule, Bulletin Vol. 18-9 (PLR 2019)
- 19-0101-1803** Proposed Rulemaking, Bulletin Vol. 18-9
- 19-0101-1804** Proposed Rulemaking, Bulletin Vol. 18-9
- 19-0101-1803** Adoption of Pending Rule, Bulletin Vol. 18-12 (PLR 2019)
- 19-0101-1804** Adoption of Pending Rule, Bulletin Vol. 18-12 (PLR 2019)
- 19-0101-1801** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)
- 19-0101-1803** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)
- 19-0101-1804** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

### ***IDAPA 20 – DEPARTMENT OF LANDS***

#### ***20.03.01, Rules Governing Dredge and Placer Mining Operations in Idaho***

- 20-0301-1801** Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-6
- 20-0301-1801** Proposed Rulemaking, Bulletin Vol. 18-9
- 20-0301-1801** Adoption of Pending Rule, Bulletin Vol. 18-12 (PLR 2019)
- 20-0301-1801\*** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)  
*(\*Rulemaking changes chapter name from: “Dredge and Placer Mining Operations in Idaho”  
to: “Rules Governing Dredge and Placer Mining Operations in Idaho”)*

#### ***20.03.02, Rules Governing Exploration, Surface Mining, and Closure of Cyanidation Facilities***

- 20-0302-1801** Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-6
- 20-0302-1801** Proposed Rulemaking, Bulletin Vol. 18-9
- 20-0302-1801** Adoption of Pending Rule, Bulletin Vol. 18-12 (PLR 2019)
- 20-0302-1801** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)
- 20-0302-1901** Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 19-5

#### ***20.03.04, Rules Governing the Regulation of Beds, Waters, and Airspace Over Navigable Lakes in the State of Idaho***

- 20-0304-1801** Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-6
- 20-0304-1801** Proposed Rulemaking, Bulletin Vol. 18-9
- 20-0304-1801** Adoption of Pending Rule, Bulletin Vol. 18-12 (PLR 2019)
- 20-0304-1801** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

#### ***20.04.01, Rules Pertaining to Forest Fire Protection***

- 20-0401-1701** Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 17-10
- 20-0401-1701** Proposed Rulemaking, Bulletin Vol. 18-8
- 20-0401-1701** Adoption of Pending Rule, Bulletin Vol. 19-1 (PLR 2019)
- 20-0401-1701** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

### ***IDAPA 22 – BOARD OF MEDICINE***

#### ***22.01.01, Rules of the Board of Medicine for the Licensure to Practice Medicine and Osteopathic Medicine in Idaho***

- 22-0101-1801** Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-9
- 22-0101-1801** Proposed Rulemaking, Bulletin Vol. 18-11
- 22-0101-1801** Adoption of Pending Rule, Bulletin Vol. 19-1 (PLR 2019)
- 22-0101-1801\*** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)  
*(\*Rulemaking changes chapter name from: “Rules of the Board of Medicine for Licensure to Practice Medicine and Surgery and Osteopathic Medicine and Surgery in Idaho”  
to: “Rules of the Board of Medicine for the Licensure to Practice Medicine and Osteopathic Medicine in Idaho”)*

**22.01.02, Rules of the Board of Medicine for the Registration of Externs, Interns, and Residents**

- 22-0102-1801** Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 18-11
- 22-0102-1801** Adoption of Pending Rule (Chapter Repeal), Bulletin Vol. 19-1 (PLR 2019)
- 22-0102-1801** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (REPEAL EFF. 4-11-19)

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

- 22-0103-1801** Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-9
- 22-0103-1801** Proposed Rulemaking, Bulletin Vol. 18-11
- 22-0103-1801** Adoption of Pending Rule, Bulletin Vol. 19-1 (PLR 2019)
- 22-0103-1801** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

**22.01.04, Rules for the Board of Medicine for Registration of Supervising and Directing Physicians**

- 22-0104-1801** Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 18-11
- 22-0104-1801** Adoption of Pending Rule (Chapter Repeal), Bulletin Vol. 19-1 (PLR 2019)
- 22-0104-1801** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (REPEAL EFF. 4-11-19)

**22.01.05, General Provisions of the Board of Medicine**

- 22-0105-1801** Notice of Intent to Promulgate a Rule – Negotiated Rulemaking (New Chapter), Bulletin Vol. 18-9
- 22-0105-1801** Proposed Rulemaking (New Chapter), Bulletin Vol. 18-11
- 22-0105-1801** Adoption of Pending Rule (New Chapter), Bulletin Vol. 19-1 (PLR 2019)
- 22-0105-1801** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

**22.01.07, Rules of Practice and Procedure of the Board of Medicine**

- 22-0107-1801** Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 18-11
- 22-0107-1801** Adoption of Pending Rule (Chapter Repeal), Bulletin Vol. 19-1 (PLR 2019)
- 22-0107-1801** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (REPEAL EFF. 4-11-19)

**22.01.14, Rules Relating to Complaint Investigation**

- 22-0114-1801** Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 18-11
- 22-0114-1801** Adoption of Pending Rule (Chapter Repeal), Bulletin Vol. 19-1 (PLR 2019)
- 22-0114-1801** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (REPEAL EFF. 4-11-19)

**22.01.15, Rules Relating to Telehealth Services**

- 22-0115-1801** Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 18-11
- 22-0115-1801** Adoption of Pending Rule (Chapter Repeal), Bulletin Vol. 19-1 (PLR 2019)
- 22-0115-1801** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (REPEAL EFF. 4-11-19)

## **IDAPA 23 – BOARD OF NURSING**

**23.01.01, Rules of the Idaho Board of Nursing**

- 23-0101-1801** Proposed Rulemaking, Bulletin Vol. 18-9
- 23-0101-1801** Adoption of Pending Rule, Bulletin Vol. 18-12 (PLR 2019)
- 23-0101-1801** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

## **IDAPA 24 – BUREAU OF OCCUPATIONAL LICENSES**

- 24-0000-1800** OAR Omnibus Notice of Legislative Action - Abolishing the Board of Barber Examiners and the Board of Cosmetology and Establishing the Barber and Cosmetology Services Licensing Board (IDAPA 24.28.01) – Senate Bill No. 1324, Bulletin Vol. 18-8 (eff. 7-1-18)

**24.01.01, Rules of the Board of Architectural Examiners**

- 24-0101-1801** Proposed Rulemaking, Bulletin Vol. 18-8
- 24-0101-1801** Adoption of Pending Rule, Bulletin Vol. 18-12 (PLR 2019)
- 24-0101-1801** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

***(Rule Repealed) 24.02.01, Rules of the Board of Barber Examiners***

- 24-0000-1800** OAR Omnibus Notice of Legislative Action - Abolishing the Board of Barber Examiners and the Board of Cosmetology and Establishing the Barber and Cosmetology Services Licensing Board (IDAPA 24.28.01) – Senate Bill No. 1324, Bulletin Vol. 18-8 (eff. 7-1-18)

***(Rule Repealed) 24.04.01, Rules of the Idaho Board of Cosmetology***

- 24-0000-1800** OAR Omnibus Notice of Legislative Action - Abolishing the Board of Barber Examiners and the Board of Cosmetology and Establishing the Barber and Cosmetology Services Licensing Board (IDAPA 24.28.01) – Senate Bill No. 1324, Bulletin Vol. 18-8 (eff. 7-1-18)

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

- 24-0301-1801** Proposed Rulemaking, Bulletin Vol. 18-10  
**24-0301-1801** Adoption of Pending Rule, Bulletin Vol. 18-12 (PLR 2019)  
**24-0301-1801** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

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

- 24-0501-1801** Proposed Rulemaking, Bulletin Vol. 18-10  
**24-0501-1801** Adoption of Pending Rule, Bulletin Vol. 18-12 (PLR 2019)  
**24-0501-1801** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

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

- 24-0601-1801** Proposed Rulemaking, Bulletin Vol. 18-10  
**24-0601-1801** Adoption of Pending Rule, Bulletin Vol. 18-12 (PLR 2019)  
**24-0601-1801** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

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

- 24-0801-1801** Proposed Rulemaking, Bulletin Vol. 18-10  
**24-0801-1801** Adoption of Pending Rule, Bulletin Vol. 18-12 (PLR 2019)  
**24-0801-1801** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

***24.09.01, Rules of the Board of Examiners of Nursing Home Administrators***

- 24-0901-1801** Temporary and Proposed Rulemaking, Bulletin Vol. 18-7 (eff. 7-1-18)T  
**24-0901-1802** Proposed Rulemaking, Bulletin Vol. 18-10  
**24-0901-1801** Adoption of Pending Rule, Bulletin Vol. 18-12 (PLR 2019)  
**24-0901-1802** Adoption of Pending Rule, Bulletin Vol. 18-12 (PLR 2019)  
**24-0901-1801** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)  
**24-0901-1802** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

***24.11.01, Rules of the State Board of Podiatry***

- 24-1101-1801** Proposed Rulemaking, Bulletin Vol. 18-10  
**24-1101-1801** Adoption of Pending Rule, Bulletin Vol. 18-12 (PLR 2019)  
**24-1101-1801** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

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

- 24-1201-1801\*** *Proposed Rulemaking, Bulletin Vol. 18-10*  
**24-1201-1802** Proposed Rulemaking (Fee Rule), Bulletin Vol. 18-10  
**24-1201-1801\*** *Notice of Vacation of Proposed Rulemaking, Bulletin Vol. 18-12*  
**24-1201-1802** Adoption of Pending Fee Rule, Bulletin Vol. 18-12 (PLR 2019)  
**24-1201-1802** OARC Omnibus Notice of Legislative Action - Approval of Pending Fee Rule SCR 114, Bulletin Vol. 19-5 (eff. 4-1-19)

***24.13.01, Rules Governing the Physical Therapy Licensure Board***

- 24-1301-1801** Proposed Rulemaking, Bulletin Vol. 18-10  
**24-1301-1801** Adoption of Pending Rule, Bulletin Vol. 18-12 (PLR 2019)  
**24-1301-1801** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

***24.14.01, Rules of the State Board of Social Work Examiners***

- 24-1401-1801 Proposed Rulemaking, Bulletin Vol. 18-10
- 24-1401-1801 Adoption of Pending Rule, Bulletin Vol. 18-12 (PLR 2019)
- 24-1401-1801 OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

***24.15.01, Rules of the Idaho Licensing Board of Professional Counselors and Marriage and Family Therapists***

- 24-1501-1801 Proposed Rulemaking, Bulletin Vol. 18-8
- 24-1501-1802 Proposed Rulemaking, Bulletin Vol. 18-10
- 24-1501-1801 Adoption of Pending Rule, Bulletin Vol. 18-12 (PLR 2019)
- 24-1501-1802 Adoption of Pending Rule, Bulletin Vol. 18-12 (PLR 2019)
- 24-1501-1801 OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)
- 24-1501-1802 OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

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

- 24-1701-1801 Proposed Rulemaking, Bulletin Vol. 18-10
- 24-1701-1801 Adoption of Pending Rule, Bulletin Vol. 18-12 (PLR 2019)
- 24-1701-1801 OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

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

- 24-1801-1801 Temporary and Proposed Rulemaking, Bulletin Vol. 18-6 (eff. 5-1-18)T
- 24-1801-1802 Proposed Rulemaking (Fee Rule), Bulletin Vol. 18-10
- 24-1801-1801 Adoption of Pending Rule, Bulletin Vol. 18-12 (PLR 2019)
- 24-1801-1802 Adoption of Pending Fee Rule, Bulletin Vol. 18-12 (PLR 2019)
- 24-1801-1801 OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)
- 24-1801-1802 OARC Omnibus Notice of Legislative Action - Approval of Pending Fee Rule - SCR 114, Bulletin Vol. 19-5 (eff. 4-1-19)

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

- 24-1901-1801 Proposed Rulemaking, Bulletin Vol. 18-10
- 24-1901-1801 Adoption of Pending Rule, Bulletin Vol. 18-12 (PLR 2019)
- 24-1901-1801 OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

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

- 24-2301-1801 Temporary and Proposed Rulemaking, Bulletin Vol. 18-7 (eff. 7-1-18)T
- 24-2301-1801 Adoption of Pending Rule, Bulletin Vol. 18-12 (PLR 2019)
- 24-2301-1801 OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

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

- 24-2501-1801 Proposed Rulemaking, Bulletin Vol. 18-10
- 24-2501-1801 Adoption of Pending Rule, Bulletin Vol. 18-12 (PLR 2019)
- 24-2501-1801 OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

***24.26.01, Rules of the Idaho Board of Midwifery***

- 24-2601-1801 Proposed Rulemaking, Bulletin Vol. 18-10
- 24-2601-1801 Adoption of Pending Rule, Bulletin Vol. 18-12 (PLR 2019)
- 24-2601-1801 OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

***24.28.01, Rules of the Barber and Cosmetology Services Licensing Board***

- 24-2801-1801 *Notice of Adoption of Temporary Rule (New Chapter), Bulletin Vol. 18-8 (eff. 7-2-18)T (Expired 4-11-19)*
- 24-2801-1802 Proposed Rulemaking (New Chapter, Fee Rule), Bulletin Vol. 18-10
- 24-2801-1802 Adoption of Pending Fee Rule (New Chapter), Bulletin Vol. 18-12 (PLR 2019)
- 24-2801-1802 OARC Omnibus Notice of Legislative Action - Partial Rejection of Pending Fee Rule by SCR 114, Bulletin Vol. 19-5 (eff. 4-1-19)
- 24-2801-1802 Notice of Final Rule - Agency Filing - Partial Rejection of Pending Fee Rule by SCR 114, Bulletin Vol. 19-5 (eff. 4-1-19)

**IDAPA 25 – OUTFITTERS AND GUIDES LICENSING BOARD**

**25.01.01, Rules of the Outfitters and Guides Licensing Board**

- 25-0101-1801\* Notice of Intent to Promulgate a Rule, Bulletin Vol. 18-6 (\*Rulemaking terminated by agency)
- 25-0101-1802 Notice of Adoption of Temporary Rule, Bulletin Vol. 18-6 (eff. 3-28-18)T
- 25-0101-1802 Amendment to Temporary Rule, Bulletin Vol. 19-1 (eff. 12-10-18)AT
- 25-0101-1802 OARC Omnibus Notice of Legislative Action - Rejection of Temporary Rule by SCR 113, Bulletin Vol. 19-5 (Temporary Rule Not Extended - Null and Void eff. 4-1-19)

**IDAPA 26 – DEPARTMENT OF PARKS AND RECREATION**

**26.01.10, Rules Governing the Administration of Temporary Permits on Lands Owned by the Idaho Department of Parks and Recreation**

- 26-0110-1701 Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 17-10
- 26-0110-1701 Proposed Rulemaking (Fee Rule), Bulletin Vol. 18-7
- 26-0110-1701 Adoption of Pending Fee Rule, Bulletin Vol. 18-10 (eff. PLR 2019)
- 26-0110-1701 OARC Omnibus Notice of Legislative Action - Rejection of Pending Rule by SCR 114, Bulletin Vol. 19-5 (Null and Void)

**26.01.20, Rules Governing the Administration of Park and Recreation Areas and Facilities**

- 26-0120-1701 Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 17-10
- 26-0120-1701 Proposed Rulemaking, Bulletin Vol. 18-7
- 26-0120-1701 Adoption of Pending Rule, Bulletin Vol. 18-10 (eff. PLR 2019)
- 26-0120-1701 OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

**26.01.23, Rules Governing Filming Within Idaho State Parks**

- 26-0123-1701 Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 17-10
- 26-0123-1701 Proposed Rulemaking, Bulletin Vol. 18-7
- 26-0123-1701 Adoption of Pending Rule, Bulletin Vol. 18-10 (eff. PLR 2019)
- 26-0123-1701 OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

**IDAPA 27 – BOARD OF PHARMACY**

**27.01.01, General Provisions**

- 27-0101-1801 Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-7
- 27-0101-1801 Proposed Rulemaking, Bulletin Vol. 18-10
- 27-0101-1801 Adoption of Pending Rule, Bulletin Vol. 18-12 (PLR 2019)
- 27-0101-1801 OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

**27.01.02, Rules Governing Licensure and Registration**

- 27-0102-1801 Adoption of Temporary Fee Rule, Bulletin Vol. 18-4 (eff. 7-1-18)T
- 27-0102-1802 Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-7
- 27-0102-1802 Proposed Rulemaking (Fee Rule), Bulletin Vol. 18-10
- 27-0102-1802 Adoption of Pending Fee Rule, Bulletin Vol. 18-12 (PLR 2019)
- 27-0102-1802 OARC Omnibus Notice of Legislative Action - Approval of Pending Fee Rule - SCR 114, Bulletin Vol. 19-5 (eff. 4-1-19)

**27.01.03, Rules Governing Pharmacy Practice**

- 27-0103-1801 Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-7
- 27-0103-1801 Proposed Rulemaking, Bulletin Vol. 18-10
- 27-0103-1802 Adoption of Temporary Rule, Bulletin Vol. 18-10 (eff. 9-28-18)T
- 27-0103-1801 Adoption of Pending Rule, Bulletin Vol. 18-12 (PLR 2019)
- 27-0103-1801 OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

**27.01.04, Rules Governing Pharmacist Prescriptive Authority**

- 27-0104-1801** Adoption of Temporary Rule, Bulletin Vol. 18-6 (eff. 7-1-18)T
- 27-0104-1802** Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-7
- 27-0104-1802** Proposed Rulemaking, Bulletin Vol. 18-10
- 27-0104-1802** Adoption of Pending Rule, Bulletin Vol. 18-12 (PLR 2019)
- 27-0104-1802** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

**27.01.05, Rules Governing Drug Compounding**

- 27-0105-1801** Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-7
- 27-0105-1801** Proposed Rulemaking, Bulletin Vol. 18-10
- 27-0105-1801** Adoption of Pending Rule, Bulletin Vol. 18-12 (PLR 2019)
- 27-0105-1801** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

**(Rule Repealed) 27.01.06, Rules Governing DME, Manufacturing, and Distribution**

- 27-0106-1801** Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-7
- 27-0106-1801** Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 18-10
- 27-0106-1801** Adoption of Pending Rule (Chapter Repeal), Bulletin Vol. 18-12 (PLR 2019)
- 27-0106-1801** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (REPEAL EFF. 4-11-19)

## **IDAPA 28 – DEPARTMENT OF COMMERCE**

**28.02.03, Rules of the Idaho Regional Travel and Convention Grant Program**

- 28-0203-1801** Adoption of Temporary Rule, Bulletin Vol. 18-5 (eff. 3-2-18)T
- 28-0203-1802** Proposed Rulemaking, Bulletin Vol. 18-10
- 28-0203-1802** Adoption of Pending Rule, Bulletin Vol. 19-1 (PLR 2019)
- 28-0203-1802** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

## **IDAPA 29 – IDAHO POTATO COMMISSION**

**(Rulemaking Rejected) 29.01.03, Rules Governing Nominations and Elections for Candidates to Be Selected for Commissioner**

- 29-0103-1801\*** Notice of Intent to Promulgate a Rule – Negotiated Rulemaking (New Chapter), Bulletin Vol. 18-7  
(\*Rulemaking terminated by agency)
- 29-0103-1802** Adoption of Temporary Rule (New Chapter), Bulletin Vol. 18-10 (eff. 8-29-18)T
- 29-0103-1802** OARC Omnibus Notice of Legislative Action - Rejection of Temporary Rule by SCR 113, Bulletin Vol. 19-5  
(Temporary Rule Not Extended - Null and Void eff. 4-1-19)

## **IDAPA 30 – IDAHO COMMISSION FOR LIBRARIES**

**30.01.01, Rules of the Idaho Commission for Libraries Governing the Use of Commission Services**

- 30-0101-1801** Proposed Rulemaking, Bulletin Vol. 18-7
- 30-0101-1801** Notice of Adoption of Pending Rule, Bulletin Vol. 18-9 (PLR 2019)
- 30-0101-1801** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

## **IDAPA 31 – PUBLIC UTILITIES COMMISSION**

**31.11.01, Safety and Accident Reporting Rules for Utilities Regulated by Idaho Public Utilities Commission**

- 31-1101-1801** Proposed Rulemaking, Bulletin Vol. 18-10
- 31-1101-1801** Adoption of Pending Rule, Bulletin Vol. 18-12 (PLR 2019)
- 31-1101-1801** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

**31.71.03, Railroad Safety and Accident Reporting Rules**

- 31-7103-1801** Proposed Rulemaking, Bulletin Vol. 18-10
- 31-7103-1801** Adoption of Pending Rule, Bulletin Vol. 18-12 (PLR 2019)

31-7103-1801 OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

### ***IDAPA 34 – SECRETARY OF STATE***

#### ***34.06.02, Rules Governing the Electronic Recording of Plats, Records of Survey, and Corner Records***

- 34-0602-1801 Notice of Intent to Promulgate a Rule – Negotiated Rulemaking (New Chapter), Bulletin Vol. 18-6
- 34-0602-1801 Proposed Rulemaking, Bulletin Vol. 18-8
- 34-0602-1801 Adoption of Pending Rule (New Chapter), Bulletin Vol. 19-1 (PLR 2019)
- 34-0602-1801 OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

### ***IDAPA 35 – STATE TAX COMMISSION***

#### ***35.01.01, Income Tax Administrative Rules***

- 35-0101-1801 Proposed Rulemaking, Bulletin Vol. 18-8
- 35-0101-1802 Notice of Adoption of Temporary Rule, Bulletin Vol. 18-8 (eff. 1-1-18)T
- 35-0101-1803 Notice of Adoption of Temporary Rule, Bulletin Vol. 18-9 (eff. 1-1-18)T
- 35-0101-1804 Proposed Rulemaking, Bulletin Vol. 18-10
- 35-0101-1805 *Adoption of Temporary Rule, Bulletin Vol. 18-11 (eff. 1-1-18)T (Expired (4-11-19))*
- 35-0101-1801 Adoption of Pending Rule, Bulletin Vol. 19-1 (PLR 2019)
- 35-0101-1804 Adoption of Pending Rule, Bulletin Vol. 19-1 (PLR 2019)
- 35-0101-1901 Adoption of Temporary Rule, Bulletin Vol. 19-2 (eff. 1-4-19)T
- 35-0101-1801 OARC Omnibus Notice of Legislative Action - Partial Rejection of Pending Rule - SCR 109), Bulletin Vol. 19-5 (eff. 3-26-19)
- 35-0101-1801 Notice of Final Rule - Agency Filing - Partial Rejection of Pending Rule - SCR 109, Bulletin Vol. 19-5 (eff. 3-26-19)
- 35-0101-1804 OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)
- 35-0101-1901 OARC Omnibus Notice of Legislative Action - Extension of Temporary Rule - SCR 113, Bulletin Vol. 19-5 (eff. 1-4-19)T

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

- 35-0102-1801 Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-5
- 35-0102-1802 Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-6
- 35-0102-1803 Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-7
- 35-0102-1801 Proposed Rulemaking, Bulletin Vol. 18-8
- 35-0102-1802 Proposed Rulemaking, Bulletin Vol. 18-10
- 35-0102-1803 Proposed Rulemaking, Bulletin Vol. 18-10
- 35-0102-1801 Adoption of Pending Rule, Bulletin Vol. 19-1 (PLR 2019)
- 35-0102-1802 Adoption of Pending Rule, Bulletin Vol. 19-1 (PLR 2019)
- 35-0102-1803 Adoption of Pending Rule, Bulletin Vol. 19-1 (PLR 2019)
- 35-0102-1801 OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)
- 35-0102-1802 OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)
- 35-0102-1803 OARC Omnibus Notice of Legislative Action - Partial Rejection of Pending Rule - SCR 108), Bulletin Vol. 19-5 (eff. 3-26-19)
- 35-0102-1803 Notice of Final Rule - Agency Filing - Partial Rejection of Pending Rule - SCR 108, Bulletin Vol. 19-5 (eff. 3-26-19)

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

- 35-0103-1801 Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-5
- 35-0103-1802 Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-6
- 35-0103-1803 Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-7
- 35-0103-1804 Adoption of Temporary Rule, Bulletin Vol. 18-7 (eff. 5-23-18)T
- 35-0103-1805 Adoption of Temporary Rule, Bulletin Vol. 18-7 (eff. 1-1-18)T
- 35-0103-1801 Proposed Rulemaking, Bulletin Vol. 18-9
- 35-0103-1802 Proposed Rulemaking, Bulletin Vol. 18-9
- 35-0103-1803 Proposed Rulemaking, Bulletin Vol. 18-9
- 35-0103-1803 Correction to Notice of Proposed Rulemaking, Bulletin Vol. 18-10
- 35-0103-1801 Adoption of Pending Rule, Bulletin Vol. 19-1 (PLR 2019)

- 35-0103-1802** Adoption of Pending Rule, Bulletin Vol. 19-1 (PLR 2019)
- 35-0103-1803** Adoption of Pending Rule, Bulletin Vol. 19-1 (PLR 2019)
- 35-0103-1801** OARC Omnibus Notice of Legislative Action - Partial Rejection of Pending Rule - SCR 107), Bulletin Vol. 19-5 (eff. 3-26-19)
- 35-0103-1801** Notice of Final Rule - Agency Filing - Partial Rejection of Pending Rule - SCR 107, Bulletin Vol. 19-5 (eff. 3-26-19)
- 35-0103-1802** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)
- 35-0103-1803** OARC Omnibus Notice of Legislative Action - Rejection of Pending Rule - HCR 017, Bulletin Vol. 19-5 (Null and Void)

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

- 35-0105-1801** Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-6
- 35-0105-1801** Proposed Rulemaking, Bulletin Vol. 18-8
- 35-0105-1801** Adoption of Pending Rule, Bulletin Vol. 19-1 (PLR 2019)
- 35-0105-1801** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

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

- 35-0106-1801** Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-6
- 35-0106-1801** Proposed Rulemaking, Bulletin Vol. 18-9
- 35-0106-1801** Adoption of Pending Rule, Bulletin Vol. 19-1 (PLR 2019)
- 35-0106-1801** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)
- 35-0106-1901** Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 19-5

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

- 35-0109-1801** Proposed Rulemaking, Bulletin Vol. 18-6
- 35-0109-1801** Adoption of Pending Rule, Bulletin Vol. 19-1 (PLR 2019)
- 35-0109-1801** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

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

- 35-0110-1801** Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-6
- 35-0110-1802** Proposed Rulemaking, Bulletin Vol. 18-6
- 35-0110-1801** Proposed Rulemaking, Bulletin Vol. 18-9
- 35-0110-1801** Adoption of Pending Rule, Bulletin Vol. 19-1 (PLR 2019)
- 35-0110-1802** Adoption of Pending Rule, Bulletin Vol. 19-1 (PLR 2019)
- 35-0110-1801** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)
- 35-0110-1802** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

***35.01.14, Prepaid Wireless E911 Fee Administrative Rules***

- 35-0114-1801** Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-7
- 35-0114-1801** Proposed Rulemaking, Bulletin Vol. 18-9
- 35-0114-1801** Adoption of Pending Rule, Bulletin Vol. 19-1 (PLR 2019)
- 35-0114-1801** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

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

- 35-0201-1801** Proposed Rulemaking, Bulletin Vol. 18-10
- 35-0201-1801** Adoption of Pending Rule, Bulletin Vol. 19-1 (PLR 2019)
- 35-0201-1801** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

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***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***

***38.04.04, Rules Governing Capitol Mall Parking***

- 38-0404-1801** Notice of Adoption of Temporary Rule, Bulletin Vol. 18-12 (11-7-18)T (*Temporary rule expires 1-4-19*)

***38.04.09, Rules Governing Use of the Chinden Office Complex***

- 38-0409-1801** Adoption of Temporary Rule (New Chapter), Bulletin Vol. 18-2 (eff. 12-21-17)T  
**38-0409-1801** OARC Omnibus Notice of Legislative Action – Extension of Temporary Rule by SCR 150, Bulletin Vol. 18-5 (eff. 12-21-17)T  
**38-0409-1801** Notice of Amendment to Temporary Rule (New Chapter), Bulletin Vol. 18-9 (eff. 9-5-18)AT  
**38-0409-1802** Proposed Rulemaking (New Chapter), Bulletin Vol. 18-9  
**38-0409-1802** Adoption of Pending Rule (New Chapter), Bulletin Vol. 18-11 (eff. PLR 2019)  
**38-0409-1802** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

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

- 38-0501-1801** Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-6  
**38-0501-1801** Proposed Rulemaking, Bulletin Vol. 18-10  
**38-0501-1801** Adoption of Pending Rule, Bulletin Vol. 18-12 (PLR 2019)  
**38-0501-1801** OARC Omnibus Notice of Legislative Action - Partial Rejection of Pending Rule - SCR 103), Bulletin Vol. 19-5 (eff. 3-20-19)  
**38-0501-1801** Notice of Final Rule - Agency Filing - Partial Rejection of Pending Rule - SCR 103, Bulletin Vol. 19-5 (eff. 3-20-19)

***38.06.01, Rules of the Department of Administration Governing Billing Procedures of the Office of the Chief Information Officer (Rule Transferred to IDAPA 15.07.01 – eff. 7-1-18)***

- 38-0601-1800** Notice of Legislative Action Creating the Office of Information Technology Service (ITS) and Transferring Rulemaking Authority from the Department of Administration’s Office of the Chief Information Officer to ITS – House Bill 607 (2018), Bulletin Vol. 18-6 (eff. 7-1-18)

***IDAPA 39 – IDAHO TRANSPORTATION DEPARTMENT***

***39.02.46, Rules Governing Temporary Motor Vehicle Registration Permit***

- 39-0246-1801** Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-7  
**39-0246-1801** Proposed Rulemaking, Bulletin Vol. 18-9  
**39-0246-1801** Adoption of Pending Rule, Bulletin Vol. 18-11 (eff. PLR 2019)  
**39-0246-1801** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

***39.02.61, Rules Governing License Plates for Governmental Agencies and Taxing Districts***

- 39-0261-1801** Temporary and Proposed Rulemaking, Bulletin Vol. 18-7 (eff. 6-21-18)T  
**39-0261-1801** Adoption of Pending Rule, Bulletin Vol. 18-9 (PLR 2019)  
**39-0261-1801** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

***OMNIBUS RULEMAKING – 39.03.01 through 39.03.25:***

***Rules that Regulate Vehicles and/or Loads that are Required to Operate Under an Overlegal Permit***

- 39-0300-1801** Notice of Intent to Promulgate Rules – Negotiated Rulemaking (Multiple Chapter Rulemaking), Bulletin Vol. 18-5

***39.03.01, Rules Governing Definitions Regarding Overlegal Permits***

- 39-0300-1801** Notice of Intent to Promulgate Rules - Negotiated Rulemaking (Multiple Chapter Rulemaking), Bulletin Vol. 18-5  
**39-0301-1801** Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 18-10  
**39-0301-1801** Adoption of Pending Rule (Chapter Repeal), Bulletin Vol. 18-12 (PLR 2019)  
**39-0301-1801** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (**REPEAL EFF. 7-1-19**)

***39.03.01, Rules Governing Definitions Regarding Special Permits (New Chapter)***

- 39-0300-1801** Notice of Intent to Promulgate Rules - Negotiated Rulemaking (Multiple Chapter Rulemaking), Bulletin Vol. 18-5

- 39-0301-1802** Proposed Rulemaking (New Chapter), Bulletin Vol. 18-10
- 39-0301-1802** Adoption of Pending Rule (New Chapter), Bulletin Vol. 18-12 (PLR 2019)
- 39-0301-1802** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 7-1-19)

**39.03.02, Rules Governing Movement of Disabled Vehicles (New Chapter)**

- 39-0300-1801** Notice of Intent to Promulgate Rules - Negotiated Rulemaking (Multiple Chapter Rulemaking), Bulletin Vol. 18-5
- 39-0302-1801** Proposed Rulemaking (New Chapter), Bulletin Vol. 18-10
- 39-0302-1801** Adoption of Pending Rule (New Chapter), Bulletin Vol. 18-12 (PLR 2019)
- 39-0302-1801** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 7-1-19)

**39.03.03, Rules Governing Special Permits - General Conditions and Requirements (New Chapter)**

- 39-0300-1801** Notice of Intent to Promulgate Rules - Negotiated Rulemaking (Multiple Chapter Rulemaking), Bulletin Vol. 18-5
- 39-0303-1801** Proposed Rulemaking (New Chapter, Fee Rule), Bulletin Vol. 18-10
- 39-0303-1801** Adoption of Pending Fee Rule (New Chapter), Bulletin Vol. 18-12 (PLR 2019)
- 39-0303-1801** OARC Omnibus Notice of Legislative Action - Approval of Pending Fee Rule - SCR 114, Bulletin Vol. 19-5 (eff. 7-1-19)

**39.03.04, Rules Governing Movement of Disabled Vehicles**

- 39-0300-1801** Notice of Intent to Promulgate Rules - Negotiated Rulemaking (Multiple Chapter Rulemaking), Bulletin Vol. 18-5
- 39-0304-1801** Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 18-10
- 39-0304-1801** Adoption of Pending Rule (Chapter Repeal), Bulletin Vol. 18-12 (PLR 2019)
- 39-0304-1801** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (**REPEAL EFF. 7-1-19**)

**39.03.04, Rules Governing Special Permits - Overweight Non-Reducible (New Chapter)**

- 39-0300-1801** Notice of Intent to Promulgate Rules - Negotiated Rulemaking (Multiple Chapter Rulemaking), Bulletin Vol. 18-5
- 39-0304-1802** Proposed Rulemaking (New Chapter), Bulletin Vol. 18-10
- 39-0304-1802** Adoption of Pending Rule (New Chapter), Bulletin Vol. 18-12 (PLR 2019)
- 39-0304-1802** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 7-1-19)

**39.03.05, Rules Governing Variable Load Suspension Axles**

- 39-0300-1801** Notice of Intent to Promulgate Rules - Negotiated Rulemaking (Multiple Chapter Rulemaking), Bulletin Vol. 18-5
- 39-0305-1801** Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 18-10
- 39-0305-1801** Adoption of Pending Rule (Chapter Repeal), Bulletin Vol. 18-12 (PLR 2019)
- 39-0305-1801** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (**REPEAL EFF. 7-1-19**)

**39.03.05, Rules Governing Special Permits - Oversize Non-Reducible (New Chapter)**

- 39-0300-1801** Notice of Intent to Promulgate Rules - Negotiated Rulemaking (Multiple Chapter Rulemaking), Bulletin Vol. 18-5
- 39-0305-1802** Proposed Rulemaking (New Chapter), Bulletin Vol. 18-10
- 39-0305-1802** Adoption of Pending Rule (New Chapter), Bulletin Vol. 18-12 (PLR 2019)

**39.03.06, Rules Governing Allowable Vehicle Size**

- 39-0300-1801** Notice of Intent to Promulgate Rules - Negotiated Rulemaking (Multiple Chapter Rulemaking), Bulletin Vol. 18-5
- 39-0306-1801** Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 18-10
- 39-0306-1801** Adoption of Pending Rule (Chapter Repeal), Bulletin Vol. 18-12 (PLR 2019)
- 39-0306-1801** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (**REPEAL EFF. 7-1-19**)

**39.03.06, Rules Governing Special Permits for Extra-Length/Excess Weight, Up to 129,000  
Pound Vehicle Combinations (New Chapter)**

- 39-0300-1801** Notice of Intent to Promulgate Rules - Negotiated Rulemaking (Multiple Chapter Rulemaking), Bulletin Vol. 18-5
- 39-0306-1802** Proposed Rulemaking (New Chapter), Bulletin Vol. 18-10
- 39-0306-1802** Adoption of Pending Rule (New Chapter), Bulletin Vol. 18-12 (PLR 2019)
- 39-0306-1802** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 7-1-19)

**39.03.07, Rules Governing Restricted Routes for Semitrailers**

- 39-0300-1801** Notice of Intent to Promulgate Rules - Negotiated Rulemaking (Multiple Chapter Rulemaking), Bulletin Vol. 18-5
- 39-0307-1801** Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 18-10

- 39-0307-1801 Adoption of Pending Rule (Chapter Repeal), Bulletin Vol. 18-12 (PLR 2019)
- 39-0307-1801 OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (**REPEAL EFF. 7-1-19**)

**39.03.07, Rules Governing Special Permits for Reducible Loads (New Chapter)**

- 39-0300-1801 Notice of Intent to Promulgate Rules - Negotiated Rulemaking (Multiple Chapter Rulemaking), Bulletin Vol. 18-5
- 39-0307-1802 Proposed Rulemaking (New Chapter), Bulletin Vol. 18-10
- 39-0307-1802 Adoption of Pending Rule (New Chapter), Bulletin Vol. 18-12 (PLR 2019)
- 39-0307-1802 OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 7-1-19)

**39.03.08, Rules Governing Self-Propelled Snowplows (New Chapter)**

- 39-0300-1801 Notice of Intent to Promulgate Rules - Negotiated Rulemaking (Multiple Chapter Rulemaking), Bulletin Vol. 18-5
- 39-0308-1801 Proposed Rulemaking (New Chapter), Bulletin Vol. 18-10
- 39-0308-1801 Adoption of Pending Rule (New Chapter), Bulletin Vol. 18-12 (PLR 2019)
- 39-0308-1801 OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 7-1-19)

**39.03.09, Rules Governing Overlegal Permits - General Conditions and Requirements**

- 39-0300-1801 Notice of Intent to Promulgate Rules - Negotiated Rulemaking (Multiple Chapter Rulemaking), Bulletin Vol. 18-5
- 39-0309-1801 Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 18-10
- 39-0309-1801 Adoption of Pending Rule (Chapter Repeal), Bulletin Vol. 18-12 (PLR 2019)
- 39-0309-1801 OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (**REPEAL EFF. 7-1-19**)

**39.03.10, Rules Governing When An Overlegal Permit Is Required**

- 39-0300-1801 Notice of Intent to Promulgate Rules - Negotiated Rulemaking (Multiple Chapter Rulemaking), Bulletin Vol. 18-5
- 39-0310-1801 Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 18-10
- 39-0310-1801 Adoption of Pending Rule (Chapter Repeal), Bulletin Vol. 18-12 (PLR 2019)
- 39-0310-1801 OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (**REPEAL EFF. 7-1-19**)

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

- 39-0300-1801 Notice of Intent to Promulgate Rules - Negotiated Rulemaking (Multiple Chapter Rulemaking), Bulletin Vol. 18-5
- 39-0311-1801 Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 18-10
- 39-0311-1801 Adoption of Pending Rule (Chapter Repeal), Bulletin Vol. 18-12 (PLR 2019)
- 39-0311-1801 OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (**REPEAL EFF. 7-1-19**)

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

- 39-0300-1801 Notice of Intent to Promulgate Rules - Negotiated Rulemaking (Multiple Chapter Rulemaking), Bulletin Vol. 18-5
- 39-0312-1801 Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 18-10
- 39-0312-1801 Adoption of Pending Rule (Chapter Repeal), Bulletin Vol. 18-12 (PLR 2019)
- 39-0312-1801 OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (**REPEAL EFF. 7-1-19**)

**39.03.13, Rules Governing Overweight Permits**

- 39-0300-1801 Notice of Intent to Promulgate Rules - Negotiated Rulemaking (Multiple Chapter Rulemaking), Bulletin Vol. 18-5
- 39-0313-1801 Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 18-10
- 39-0313-1801 Adoption of Pending Rule (Chapter Repeal), Bulletin Vol. 18-12 (PLR 2019)
- 39-0313-1801 OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (**REPEAL EFF. 7-1-19**)

**39.03.14, Rules Governing Policy During Spring Breakup Season**

- 39-0300-1801 Notice of Intent to Promulgate Rules - Negotiated Rulemaking (Multiple Chapter Rulemaking), Bulletin Vol. 18-5
- 39-0314-1801 Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 18-10
- 39-0314-1801 Adoption of Pending Rule (Chapter Repeal), Bulletin Vol. 18-12 (PLR 2019)
- 39-0314-1801 OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (**REPEAL EFF. 7-1-19**)

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

- 39-0300-1801 Notice of Intent to Promulgate Rules - Negotiated Rulemaking (Multiple Chapter Rulemaking), Bulletin Vol. 18-5
- 39-0315-1801 Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 18-10
- 39-0315-1801 Adoption of Pending Rule (Chapter Repeal), Bulletin Vol. 18-12 (PLR 2019)
- 39-0315-1801 OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (**REPEAL EFF. 7-1-19**)

**39.03.16, Rules Governing Oversize Permits For Non-Reducible Vehicles And/Or Loads**

- 39-0300-1801 Notice of Intent to Promulgate Rules - Negotiated Rulemaking (Multiple Chapter Rulemaking), Bulletin Vol. 18-5
- 39-0316-1801 Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 18-10
- 39-0316-1801 Adoption of Pending Rule (Chapter Repeal), Bulletin Vol. 18-12 (PLR 2019)
- 39-0316-1801 OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (REPEAL EFF. 7-1-19)

**39.03.17, Rules Governing Permits For Manufactured Homes, Modular Buildings, And Office Trailers**

- 39-0300-1801 Notice of Intent to Promulgate Rules - Negotiated Rulemaking (Multiple Chapter Rulemaking), Bulletin Vol. 18-5
- 39-0317-1801 Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 18-10
- 39-0317-1801 Adoption of Pending Rule (Chapter Repeal), Bulletin Vol. 18-12 (PLR 2019)
- 39-0317-1801 OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (REPEAL EFF. 7-1-19)

**39.03.18, Rules Governing Overlegal Permits for Relocation of Buildings or Houses**

- 39-0300-1801 Notice of Intent to Promulgate Rules - Negotiated Rulemaking (Multiple Chapter Rulemaking), Bulletin Vol. 18-5
- 39-0318-1801 Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 18-10
- 39-0318-1801 Adoption of Pending Rule (Chapter Repeal), Bulletin Vol. 18-12 (PLR 2019)
- 39-0318-1801 OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (REPEAL EFF. 7-1-19)

**39.03.19, Rules Governing Annual Overlegal Permits**

- 39-0300-1801 Notice of Intent to Promulgate Rules - Negotiated Rulemaking (Multiple Chapter Rulemaking), Bulletin Vol. 18-5
- 39-0319-1801 Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 18-10
- 39-0319-1801 Adoption of Pending Rule (Chapter Repeal), Bulletin Vol. 18-12 (PLR 2019)
- 39-0319-1801 OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (REPEAL EFF. 7-1-19)

**39.03.20, Rules Governing Application for Special Permits**

- 39-0300-1801 Notice of Intent to Promulgate Rules - Negotiated Rulemaking (Multiple Chapter Rulemaking), Bulletin Vol. 18-5
- 39-0320-1801 Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 18-10
- 39-0320-1801 Adoption of Pending Rule (Chapter Repeal), Bulletin Vol. 18-12 (PLR 2019)
- 39-0320-1801 OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (REPEAL EFF. 7-1-19)

**39.03.21, Rules Governing Overlegal Permit Fees**

- 39-0300-1801 Notice of Intent to Promulgate Rules - Negotiated Rulemaking (Multiple Chapter Rulemaking), Bulletin Vol. 18-5
- 39-0321-1801 Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 18-10
- 39-0321-1801 Adoption of Pending Rule (Chapter Repeal), Bulletin Vol. 18-12 (PLR 2019)
- 39-0321-1801 OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (REPEAL EFF. 7-1-19)

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

- 39-0300-1801 Notice of Intent to Promulgate Rules - Negotiated Rulemaking (Multiple Chapter Rulemaking), Bulletin Vol. 18-5
- 39-0322-1801 Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 18-10
- 39-0322-1801 Adoption of Pending Rule (Chapter Repeal), Bulletin Vol. 18-12 (PLR 2019)
- 39-0322-1801 OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (REPEAL EFF. 7-1-19)

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

- 39-0300-1801 Notice of Intent to Promulgate Rules - Negotiated Rulemaking (Multiple Chapter Rulemaking), Bulletin Vol. 18-5
- 39-0323-1801 Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 18-10
- 39-0323-1801 Adoption of Pending Rule (Chapter Repeal), Bulletin Vol. 18-12 (PLR 2019)
- 39-0323-1801 OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (REPEAL EFF. 7-1-19)

**39.03.24, Rules Governing Self-Propelled Snowplows**

- 39-0300-1801 Notice of Intent to Promulgate Rules - Negotiated Rulemaking (Multiple Chapter Rulemaking), Bulletin Vol. 18-5
- 39-0324-1801 Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 18-10
- 39-0324-1801 Adoption of Pending Rule (Chapter Repeal), Bulletin Vol. 18-12 (PLR 2019)
- 39-0324-1801 OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (REPEAL EFF. 7-1-19)

***39.03.25, Rules Governing Lights on Snow Removal Equipment***

- 39-0300-1801** Notice of Intent to Promulgate Rules - Negotiated Rulemaking (Multiple Chapter Rulemaking), Bulletin Vol. 18-5
- 39-0325-1801** Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 18-10
- 39-0325-1801** Adoption of Pending Rule (Chapter Repeal), Bulletin Vol. 18-12 (PLR 2019)
- 39-0325-1801** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (**REPEAL EFF. 7-1-19**)

***39.03.41, Rules Governing Traffic Control Devices***

- 39-0341-1801** Temporary and Proposed Rulemaking, Bulletin Vol. 18-7 (eff. 6-21-18)T
- 39-0341-1801** Notice of Adoption of Pending Rule, Bulletin Vol. 18-9 (PLR 2019)
- 39-0341-1801** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

***39.03.48, Rules Governing Routes Exempt from Local Plans and Ordinances***

- 39-0348-1801** Proposed Rulemaking, Bulletin Vol. 18-9
- 39-0348-1801** Adoption of Pending Rule, Bulletin Vol. 18-11 (eff. PLR 2019)
- 39-0348-1801** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

***IDAPA 40 – IDAHO COMMISSION ON THE ARTS***

***40.01.01, Rules of the Idaho Commission on the Arts***

- 40-0101-1801** Proposed Rulemaking, Bulletin Vol. 18-9
- 40-0101-1801** Adoption of Pending Rule, Bulletin Vol. 18-11 (eff. PLR 2019)
- 40-0101-1801** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

***IDAPA 47 – DIVISION OF VOCATIONAL REHABILITATION***

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

- 47-0102-1801** Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-5
- 47-0102-1801** Proposed Rulemaking, Bulletin Vol. 18-10
- 47-0102-1801** Adoption of Pending Rule, Bulletin Vol. 19-1 (PLR 2019)
- 47-0102-1801** OARC Omnibus Notice of Legislative Action - Partial Rejection of Pending Rule - HCR 18, Bulletin Vol. 19-5 (eff. 3-20-19)
- 47-0102-1801** Notice of Final Rule - Agency Filing - Partial Rejection of Pending Rule - HCR 18, Bulletin Vol. 19-5 (eff. 3-20-19)

***IDAPA 49 – CERTIFIED SHORTHAND REPORTERS BOARD***

***49.01.01, Rules of Procedure of the Idaho Certified Shorthand Reporters Board***

- 49-0101-1801** Proposed Rulemaking, Bulletin Vol. 18-10
- 49-0101-1801** Adoption of Pending Rule, Bulletin Vol. 18-12 (PLR 2019)
- 49-0101-1801** Adoption of Pending Rule, Bulletin Vol. 19-1 (PLR 2019)
- 49-0101-1801** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

***IDAPA 52 – IDAHO STATE LOTTERY COMMISSION***

***52.01.03, Rules Governing Operations of the Idaho State Lottery***

- 52-0103-1801** Proposed Rulemaking, Bulletin Vol. 18-8
- 52-0103-1801** Adoption of Pending Rule, Bulletin Vol. 18-11 (eff. PLR 2019)
- 52-0103-1801** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

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

**55.01.03, Rules of Career Technical Schools**

**55-0103-1801\*** Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-7

**55-0103-1801\*** Proposed Rulemaking, Bulletin Vol. 18-10

**55-0103-1801\*** Notice of Vacation of Proposed Rulemaking, Bulletin Vol. 19-1 (Rulemaking Terminated)

**IDAPA 58 – DEPARTMENT OF ENVIRONMENTAL QUALITY**

**58-0000-1801** Potlatch River Watershed Assessment and Total Maximum Daily Load (TMDL): 2017 Temperature TMDL (HUC ID 17060306), Bulletin Vol. 18-5

**58-0000-1802** Upper North Fork Clearwater River Subbasin Assessment and Total Maximum Daily Load (TMDL): 2017 Lake Creek Temperature TMDL (HUC 17060307), Bulletin Vol. 18-7

**58-0000-1803** Salt River Watershed Assessment and Total Maximum Daily Load (TMDL): 2018 (HUC ID 17040105), Bulletin Vol. 18-10

**58-0000-1901** Curlew Valley Subbasin Assessment and Total Maximum Daily Load (TMDL): 2018 (HUC 16020309), Bulletin Vol. 19-1

**58.01.01, Rules for the Control of Air Pollution in Idaho**

**58-0101-1801** Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-4

**58-0101-1802\*** Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-5 (\*Rulemaking terminated by agency)

**58-0101-1803** Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-6

**58-0101-1801** Proposed Rulemaking, Bulletin Vol. 18-8

**58-0101-1802** Notice of Termination of Negotiated Rulemaking, Bulletin Vol. 18-8

**58-0101-1803** Proposed Rulemaking, Bulletin Vol. 18-8

**58-0101-1804** Proposed Rulemaking, Bulletin Vol. 18-8

**58-0101-1801** Adoption of Pending Rule, Bulletin Vol. 18-12 (PLR 2019)

**58-0101-1803** Adoption of Pending Rule, Bulletin Vol. 18-12 (PLR 2019)

**58-0101-1804** Adoption of Pending Rule, Bulletin Vol. 18-12 (PLR 2019)

**58-0101-1901** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 19-3

**58-0101-1801** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

**58-0101-1803** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

**58-0101-1804** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

**58-0101-1902** Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 19-5

**58-0101-1903** Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 19-5

**58.01.02, Water Quality Standards**

**58-0102-1703** Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 17-12

**58-0102-1801** Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-4

**58-0102-1802** Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-5

**58-0102-1803** Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-7

**58-0102-1703** Proposed Rulemaking, Bulletin Vol. 18-8

**58-0102-1703** Notice of Public Meeting of the DEQ Board, Bulletin Vol. 18-8

**58-0102-1802** Proposed Rulemaking, Bulletin Vol. 18-9

**58-0102-1802** Notice of Public Meeting of the DEQ Board, Bulletin Vol. 18-9

**58-0102-1803** Proposed Rulemaking, Bulletin Vol. 18-9

**58-0102-1803** Notice of Public Meeting of the DEQ Board, Bulletin Vol. 18-9

**58-0102-1703** Adoption of Pending Rule, Bulletin Vol. 18-12 (PLR 2019)

**58-0102-1802** Adoption of Pending Rule, Bulletin Vol. 18-12 (PLR 2019)

**58-0102-1803** Adoption of Pending Rule, Bulletin Vol. 18-12 (PLR 2019)

**58-0102-1703** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

**58-0102-1802** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

**58-0102-1803** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

**58.01.05, Rules and Standards for Hazardous Waste**

**58-0105-1801** Proposed Rulemaking, Bulletin Vol. 18-8

**58-0105-1801** Adoption of Pending Rule, Bulletin Vol. 18-12 (PLR 2019)

**58-0105-1801** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

**58.01.13, Rules for Ore Processing by Cyanidation**

**58-0113-1901** Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 19-5

**58.01.24, Standards and Procedures for Application of Risk Based Corrective Action at Petroleum Release Sites**

**58-0124-1801** Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-6

**58-0124-1801** Proposed Rulemaking, Bulletin Vol. 18-9

**58-0124-1801** Adoption of Pending Rule and Adoption of Temporary Rule, Bulletin Vol. 18-12 (PLR 2019) / (12-5-18)T

**58-0124-1801** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

**58.01.25, Rules Regulating the Idaho Pollutant Discharge Elimination System Program**

**58-0125-1801** Temporary and Proposed Rulemaking, Bulletin Vol. 18-6 (eff. 5-18-18)T

**58-0125-1801** Adoption of Pending Rule, Bulletin Vol. 18-12 (PLR 2019)

**58-0125-1801** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

***IDAPA 59 – PUBLIC EMPLOYEE RETIREMENT SYSTEM OF IDAHO (PERSI)***

**59.01.03, PERSI Contribution Rules**

**59-0103-1801** Adoption of Temporary Rule, Bulletin Vol. 18-1 (eff. 12-5-17)T

**59-0103-1801** OARC Omnibus Notice of Legislative Action - Extension of Temporary Rule by SCR 150, Bulletin Vol. 18-5 (eff. 12-5-17)T

**59-0103-1801** Proposed Rulemaking, Bulletin Vol. 18-6

**59-0103-1801** Adoption of Pending Rule, Bulletin Vol. 18-12 (PLR 2019)

**59-0103-1801** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

**59.01.05, PERSI Separation from Service Rules**

**59-0105-1801** Proposed Rulemaking, Bulletin Vol. 18-6

**59-0105-1801** Notice of Adoption of Pending Rule, Bulletin Vol. 18-9 (PLR 2019)

**59-0105-1801** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

**59.01.06, PERSI Retirement Rules**

**59-0106-1801** Proposed Rulemaking, Bulletin Vol. 18-6

**59-0106-1801** Adoption of Pending Rule, Bulletin Vol. 18-9 (PLR 2019)

**59-0106-1802** Proposed Rulemaking, Bulletin Vol. 18-10

**59-0106-1802** Adoption of Pending Rule, Bulletin Vol. 18-12 (PLR 2019)

**59-0106-1801** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

**59-0106-1802** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 4-11-19)

***IDAPA 60 – IDAHO STATE SOIL AND WATER CONSERVATION COMMISSION***

**60.05.01, Rules for Administration of the Idaho Resource Conservation and Rangeland Development Program**

**60-0501-1801** 1st Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-5

**60-0501-1801** 2nd Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 18-7

**60-0501-1801** Proposed Rulemaking, Bulletin Vol. 18-10

**60-0501-1801** Adoption of Pending Rule, Bulletin Vol. 18-12 (PLR 2019)

**60-0501-1801\*** OARC Omnibus Notice of Legislative Action - Partial Rejection of Pending Rule - SCR 110),  
Bulletin Vol. 19-5 (eff. 3-28-19)

**60-0501-1801** Notice of Final Rule - Agency Filing - Partial Rejection of Pending Rule - SCR 110, Bulletin Vol. 19-5 (eff. 3-28-19)

(\*Rulemaking changes chapter name from: “Resource Conservation and Rangeland Development Program”

to: “Rules for Administration of the Idaho Resource Conservation and Rangeland Development Program”)

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

**61.01.02, Rules Governing Uniform Data Reporting Requirements and Forms for**

***Defending Attorney Annual Reports***

- 61-0102-1801** Notice of Intent to Promulgate Rules – Negotiated Rulemaking (New Chapter), Bulletin Vol. 18-4
- 61-0102-1801** Proposed Rulemaking (New Chapter), Bulletin Vol. 18-9
- 61-0102-1801** Adoption of Pending Rule (New Chapter), Bulletin Vol. 19-1 (PLR 2019)
- 61-0102-1801** OARC Omnibus Notice of Legislative Action - Approval of Pending Rule, Bulletin Vol. 19-5 (eff. 5-1-19)

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