

IDAHO ADMINISTRATIVE BULLETIN

June 5, 2019 – Vol. 19-6

Idaho Department of Administration
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IDAHO ADMINISTRATIVE BULLETIN

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PREFACE

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

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

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

CITATION TO THE IDAHO ADMINISTRATIVE BULLETIN

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

RELATIONSHIP TO THE IDAHO ADMINISTRATIVE CODE

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

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

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

Vol. No.	Monthly Issue of Bulletin	Closing Date for Agency Filing	Publication Date	21-day Comment Period End Date
18-1	January 2018	*November 24, 2017	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	**August 31, 2018	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

Vol. No.	Monthly Issue of Bulletin	Closing Date for Agency Filing	Publication Date	21-day Comment Period End Date
19-1	January 2019	*November 30, 2018	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	**August 30, 2019	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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IDAPA 46	Veterinary Medical Examiners, Board of
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THE OFFICE OF THE GOVERNOR

**EXECUTIVE DEPARTMENT
STATE OF IDAHO
BOISE**

EXECUTIVE ORDER NO. 2019-03

REGIONAL GOVERNMENT EFFICIENCY WORKING GROUP

WHEREAS, transparency, efficiency, and making decisions with a long-term perspective gives citizens of Idaho a reason to be confident in state government; and

WHEREAS, Idaho continues to be a model of fiscal responsibility; and

WHEREAS, maintaining the availability, accessibility, transparency, efficiency, and customer service of regional service is essential to all parts of Idaho; and

WHEREAS, identifying inefficiencies without the loss of services within government are vital in state government; and

WHEREAS, the State of Idaho has the responsibility to taxpayers to govern responsibly and efficiently; and

WHEREAS, making decisions with a long-term perspective includes studying the effectiveness and productivity of government to ensure efficiency of taxpayer dollars.

NOW, THEREFORE, I, Brad Little, Governor of the State of Idaho, by virtue of the authority vested in me by the Constitution and laws of the State of Idaho do hereby order the creation of the Regional Government Efficiency Working Group to study the efficiency of state government regional offices.

- 1. The Regional Government Efficiency Working Group will be chaired and staffed by the Lt. Governor of the State of Idaho.*
- 2. The Regional Government Efficiency Working Group shall remain in operation no fewer than eighteen months.*
- 3. The Regional Government Efficiency Working Group will make recommendations to the Governor regarding areas where efficiencies can be made and where customer service can be improved with State of Idaho regional offices.*
- 4. The duties of the Regional Government Efficiency Working Group are recommendations and are not binding.*
- 5. The Regional Government Efficiency Working Group's recommendations must consider and take into account the relevance and necessity of existing services.*
- 6. Final action and decisions will solely be determined by Governor Brad Little of the State of Idaho.*
- 7. Members of the Regional Government Efficiency Working Group shall be appointed by and serve at the pleasure of the Governor.*
- 8. Members of the Regional Government Efficiency Working Group will include but are not limited to:*

- a. *A representative of the Governor's Personal Office*
- b. *A representative of the Division of Financial Management*
- c. *A representative of the Department of Administration*
- d. *A member of the Idaho House of Representatives*
- e. *A member of the Idaho Senate*
- f. *A member from Region 1 of Idaho*
- g. *A member from Region 2 of Idaho*
- h. *A member from Region 3 of Idaho*
- i. *A member from Region 4 of Idaho*
- j. *A member from Region 5 of Idaho*
- k. *A member from Region 6 of Idaho*
- l. *A member from Region 7 of Idaho*
- m. *An at-large member*



IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho at the Capitol in Boise on this 25th day of April in the year of our Lord two thousand and nineteen.

BRAD LITTLE, GOVERNOR

LAWRENCE DENNEY, SECRETARY OF STATE

IDAPA 02 – DEPARTMENT OF AGRICULTURE

02.02.12 – BONDED WAREHOUSE RULES

DOCKET NO. 02-0212-1901

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 69-231, Idaho Code.

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

PUBLIC MEETING

Thursday, June 20, 2019 - 10:00 a.m. to 12:00 p.m. (MDT)

**Idaho State Department of Agriculture
2270 Old Penitentiary Road
Boise, ID 83712**

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 kyle.wilmot@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:

The use of electronic warehouse receipts was added in Section 69-223(1)(f)(ii), Idaho Code. In addition to paper warehouse receipts issued by the department, electronic warehouse receipts are now allowed to be issued for commodity that is stored. The draft rule provides additional support and guidance regarding the use of electronic warehouse receipts. The rule will describe what type of electronic warehouse receipts are allowed and what necessary requirements need to be in place with the electronic warehouse receipt provider. IDAPA 02.02.12 will also 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 Kyle Wilmot at (208) 332-8612. 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.

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 30, 2019.

Dated this 2nd day of May, 2019.

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

IDAPA 02 – DEPARTMENT OF AGRICULTURE

02.02.12 – BONDED WAREHOUSE RULES

DOCKET NO. 02-0212-1902

NOTICE OF RULEMAKING – ADOPTION OF TEMPORARY RULE

EFFECTIVE DATE: The effective date of the temporary rule is July 1, 2019.

AUTHORITY: In compliance with Section 67-5226, Idaho Code, notice is hereby given this agency has adopted a temporary rule. The action is authorized pursuant to Section 69-231, Idaho Code.

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

The use of electronic warehouse receipts was added in Section 69-223(1)(f)(ii), Idaho Code. In addition to paper warehouse receipts issued by the department, electronic warehouse receipts are now allowed to be issued for commodity that is stored. The temporary rule provides additional support and guidance regarding the use of electronic warehouse receipts. The rule will describe what type of electronic warehouse receipts are allowed and what necessary requirements need to be in place with the electronic warehouse receipt provider.

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

The use of electronic warehouse receipts was added in Section 69-223(1)(f)(ii), Idaho Code. This law goes into effect July 1, 2019. The temporary rule will allow warehouses to comply with the new section of Idaho Code until negotiated rule making has occurred and the legislature takes action on the rule.

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

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning the temporary rule, contact Kyle Wilmot at (208) 332-8612.

Dated this 2nd day of May, 2019.

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

**THE FOLLOWING IS THE TEXT OF THE TEMPORARY RULE FOR DOCKET NO. 02-0212-1902
(Only Those Sections With Amendments Are Shown.)**

050. RECEIPTING.

01. Every Warehouseman. Every warehouseman shall issue a negotiable warehouse receipt when requested to do so by the depositor. All storage and handling charges are due and payable on or before July 1 following the date of the issuance of the receipt, or as agreed upon by the parties. (9-1-92)

02. Form of Nonnegotiable Warehouse Receipts. Nonnegotiable warehouse receipts that contain the essential terms for warehouse receipts as set forth in Section 28-7-202, Idaho Code, and Section 69-223, Idaho Code, shall be deemed sufficient for all purposes. Copies of all nonnegotiable warehouse receipts shall be kept as permanent records by the warehouseman issuing them. (9-1-92)

03. Lost Negotiable Warehouse Receipt. In order to issue a new warehouse receipt supplementing one that has been lost or destroyed or to cancel an outstanding warehouse receipt that has been lost or destroyed, the licensed warehouseman shall require the depositor or other applicant to submit to the warehouseman: (9-1-92)

a. An affidavit showing that he is lawfully entitled to the possession of the original receipt, that he has not negotiated or assigned it and how the original receipt was lost or destroyed; and (9-1-92)

b. A bond in the amount double the market value of the agricultural commodity represented by the lost or destroyed receipt. The market value shall be determined at the time this bond is submitted for the lost receipt. Such warehouse receipts issued in lieu of lost or destroyed receipts shall duplicate the original and bear a statement that it is issued in lieu of the lost or destroyed receipt. A duplicate warehouse receipt shall clearly state that it is a duplicate receipt, the number of the receipt the duplicate is replacing, and the license number under which the original receipt was issued. (9-1-92)

04. Electronic Warehouse Receipts. An electronic version of a warehouse receipt generated by a provider licensed and approved by the United States Department of Agriculture (USDA) that contains the same information as the paper version of a warehouse receipt may be issued instead of a paper document. The electronic version of a warehouse receipt carries the same rights and obligations as the paper version. At no time may a paper receipt and an electronic receipt represent the same lot of commodity. Electronic warehouse receipts shall be numbered and shall be issued consecutively starting with the number specified to the provider by the department. (7-1-19)T

05. Agreements. Prior to entering into an agreement with an electronic warehouse receipt provider to issue such receipts, a warehouse licensee must provide a copy of the proposed agreement to the department for review and approval. A warehouse operator shall not issue electronic negotiable warehouse receipts until and unless the department approves its agreement with an electronic warehouse receipt provider and notifies the licensee of such approval. A provider shall be independent of any outside influence or bias in action or appearance. In order to be approved by the department, an electronic warehouse receipt provider agreement shall: (7-1-19)T

a. Only be with a provider that is first approved as an electronic warehouse receipt provider by the USDA pursuant to the provisions of 7 CFR Part 735. Upon department request, a provider shall provide a copy of the provider's executed USDA Form WA-460 and any addenda, and any other documentation requested by the department to confirm that the provider is a USDA-approved provider in good standing. (7-1-19)T

b. Provide for the department to become a joint holder on all open electronic negotiable warehouse receipt if the issuing warehouse operator's license is relinquished or revoked. (7-1-19)T

c. Require the provider to provide security as required by its provider agreement with the USDA regarding on-site security, data authorization, security plans, and facility vulnerability. (7-1-19)T

d. Prohibit the provider from deleting or altering any electronic negotiable warehouse receipts in the centralized filing system unless such actions are authorized by the department. (7-1-19)T

e. Allow the department unrestricted access to the central filing system for electronic warehouse receipts issued on behalf of warehouse operators licensed by the department. The electronic warehouse receipt data

shall be maintained for six (6) years after cancellation of the receipts. Access shall be made available in a manner that allows interaction with department warehouse examinations. Access shall be free of any charge or costs to the department. (7-1-19)T

f. Require the provider, when a warehouse operator changes provider, to supply the new provider and the warehouse operator with a complete list of all the current holders of open electronic negotiable commodity warehouse receipts prior to the intended transfer date. (7-1-19)T

06. Change in Provider. A warehouse operator shall issue electronic warehouse receipts through only one (1) approved provider at a time. (7-1-19)T

a. A warehouse operator may change providers only once a year unless otherwise approved by the department. (7-1-19)T

b. A warehouse operator shall notify the department thirty (30) calendar days prior to the intended date of any transfer to a new provider. Such notification shall include the exact date of the proposed transfer. The operator must also, thirty (30) days prior to the intended transfer date, send notices of the change to the holders of all open electronic negotiable warehouse receipts. The notices shall specify the date and time period during which access to receipts will not be available. (7-1-19)T

IDAPA 02 – DEPARTMENT OF AGRICULTURE

02.04.18 – RULES GOVERNING CAFO SITE ADVISORY TEAM

DOCKET NO. 02-0418-1901

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 67-6529F Idaho Code.

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

PUBLIC MEETING
Tuesday, June 18, 2019 - 1:00 p.m. to 2:00 p.m. (MDT)
Idaho State Department of Agriculture 2270 Old Penitentiary Road Boise, ID 83712

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 must submit any written comments, questions, recommendations, or ideas to the Idaho State Department of Agriculture addressed to Dr. Scott Leibsle, Deputy Administrator, Division of Animal Industries (Scott.Leibsle@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:

This rule change is a result of a joint petition received from the Milk Producers of Idaho, Idaho Dairymen's Association and the Idaho Farm Bureau to develop and adopt a new dairy nutrient management standard for Idaho dairy producers. If adopted, the new dairy nutrient management standard must be identified as a governing standard in all rules that pertain to nutrient management. This rule change will achieve consistency with other rules that identify the same standard. IDAPA 02.04.18 will also 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 copy of the preliminary draft of the text of the proposed rule, contact Dr. Scott Leibsle, Deputy Administrator – Division of Animal Industries at (208) 332-8540. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the ISDA web site: 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 June 30, 2019.

Dated this 2nd day of May, 2019.

Brian J. Oakey, Deputy Director
Idaho State Department of Agriculture
2270 Old Penitentiary Rd.
P.O. Box 790
Boise, Idaho 83701
Phone: (208) 332-8503
Fax: (208) 334-2170

IDAPA 02 – DEPARTMENT OF AGRICULTURE

02.04.20 – RULES GOVERNING BRUCELLOSIS

DOCKET NO. 02-0420-1901

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 25-203 and 25-601, Idaho Code.

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

PUBLIC MEETING

Thursday, June 27, 2019 - 1:00 p.m. to 4:30 p.m. (MDT)

**Idaho State Department of Agriculture
2270 Old Penitentiary Road
Boise, ID 83712**

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 must submit any written comments, questions, recommendations, or ideas to the Idaho State Department of Agriculture addressed to Dr. Scott Leibsle, Deputy Administrator, Division of Animal Industries (Scott.Leibsle@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:

This rule change will reduce the Brucellosis test eligible age of cattle/bison from 18 months to 12 months. This recommendation was made following the 2018 USDA audit of Idaho's brucellosis program and is necessary to minimize restrictions on interstate market access for Idaho cattle producers and maintain eligibility for federal cooperative funding to operate the program. The second rule change will remove "Idaho origin" as a prerequisite for adult brucellosis vaccination of cattle/bison. This is an unnecessary regulation that no longer poses a risk to the cattle industry. IDAPA 02.04.20 will also 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 copy of the preliminary draft of the text of the proposed rule, contact Dr. Scott Leibsle, Deputy Administrator – Division of Animal Industries at (208) 332-8540. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the ISDA web site: 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 June 30, 2019.

Dated this 3rd day of May, 2019.

Brian J. Oakey, Deputy Director
Idaho State Department of Agriculture
2270 Old Penitentiary Rd.
P.O. Box 790
Boise, Idaho 83701
Phone: (208) 332-8503
Fax: (208) 334-2170

IDAPA 02 – DEPARTMENT OF AGRICULTURE

02.04.21 – RULES GOVERNING THE IMPORTATION OF ANIMALS

DOCKET NO. 02-0421-1901

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 25-203, 25-305, 25-401, 25-601, Idaho Code.

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

PUBLIC MEETING
Thursday, June 27, 2019 - 1:00 p.m. to 4:30 p.m. (MDT)
Idaho State Department of Agriculture 2270 Old Penitentiary Road Boise, ID 83712

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 must submit any written comments, questions, recommendations, or ideas to the Idaho State Department of Agriculture addressed to Dr. Scott Leibsle, Deputy Administrator, Division of Animal Industries (Scott.Leibsle@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:

This rule change will amend the Extended Validity Equine Certificate to allow participation in an electronic equine program and modify the requirements of the certificate. The second rule change will amend entry permit language to allow for the use of Idaho's online livestock entry permit database. The third rule change will remove the brucellosis testing requirement for import of domestic cervidae that originate from a state/region that is declared free of brucellosis. This is an unnecessary entry requirement for domestic cervidae producers, as the only remaining reservoir of brucellosis left in the United States is located in Yellowstone Park. IDAPA 02.04.21 will also 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 copy of the preliminary draft of the text of the proposed rule, contact Dr. Scott Leibsle, Deputy Administrator – Division of Animal Industries at (208) 332-8540. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the ISDA web site: 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 June 30, 2019.

Dated this 3rd day of May, 2019.

Brian J. Oakey, Deputy Director
Idaho State Department of Agriculture
2270 Old Penitentiary Rd.
P.O. Box 790
Boise, Idaho 83701
Phone: (208) 332-8503
Fax: (208) 334-2170

IDAPA 02 – DEPARTMENT OF AGRICULTURE

02.04.30 – RULES GOVERNING NUTRIENT MANAGEMENT

DOCKET NO. 02-0430-1901

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 37-401(4), 37-606(1), 37-405, 22-4903, 25, 4012(2), 37-603(1) Idaho Code.

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

PUBLIC MEETING
Tuesday, June 18, 2019 - 1:00 p.m. to 2:00 p.m. (MDT)
Idaho State Department of Agriculture 2270 Old Penitentiary Road Boise, ID 83712

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 must submit any written comments, questions, recommendations, or ideas to the Idaho State Department of Agriculture addressed to Dr. Scott Leibsle, Deputy Administrator, Division of Animal Industries (Scott.Leibsle@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:

This rule change is a result of a joint petition received from the Milk Producers of Idaho, Idaho Dairymen's Association and the Idaho Farm Bureau to develop and adopt a new dairy nutrient management standard for Idaho dairy producers. If adopted, the new dairy nutrient management standard must be identified as a governing standard in all rules that pertain to nutrient management. This rule change will achieve consistency with other rules that identify the same standard. IDAPA 02.04.30 will also 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 copy of the preliminary draft of the text of the proposed rule, contact Dr. Scott Leibsle, Deputy Administrator – Division of Animal Industries at (208) 332-8540. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the ISDA web site: 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 June 30, 2019.

Dated this 3rd day of May, 2019.

Brian J. Oakey, Deputy Director
Idaho State Department of Agriculture
2270 Old Penitentiary Rd.
P.O. Box 790
Boise, Idaho 83701
Phone: (208) 332-8503
Fax: (208) 334-2170

IDAPA 02 – DEPARTMENT OF AGRICULTURE

02.06.02 – RULES PERTAINING TO THE IDAHO COMMERCIAL FEED LAW

DOCKET NO. 02-0602-1901

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 25-2710, Idaho Code.

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

PUBLIC MEETING

Wednesday, June 12, 2019 - 9:00 a.m. to 9:20 a.m. (MDT)
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**Idaho State Department of Agriculture
2270 Old Penitentiary Road
Boise, ID 83712**

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 Jared.Stuart@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:

The proposed changes incorporate by reference information and updates contained in the 2020 Official Publication of the Association of American Feed Control Officials (AAFCO) and Merck Index as they pertain to the methodology and practice of conducting regulatory commercial feed registration and label review. The changes will update standards, ingredients and definitions in the current rule and publications to make them congruent with the new publications. IDAPA 02.06.02 will also 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 contact Jared Stuart, Section Manager, Plant Industries at (208) 332-8622. 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.

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 30, 2019.

Dated this 2nd day of May, 2019.

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

IDAPA 02 – DEPARTMENT OF AGRICULTURE

02.06.12 – RULES PERTAINING TO THE IDAHO FERTILIZER LAW

DOCKET NO. 02-0612-1901

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 22-604, Idaho Code.

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

PUBLIC MEETING
Wednesday, June 12, 2019 - 9:20 a.m. to 9:40 a.m. (MDT)
Idaho State Department of Agriculture 2270 Old Penitentiary Road Boise, ID 83712

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 Jared.Stuart@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:

The proposed changes incorporate by reference information and updates contained in the 2020 Official Publication of the Association of American Plant Food Control Officials (AAPFCO), Merck Index, and The Association of Official Agricultural Chemists (AOAC) International Official Methods of Analysis (OMA) of the AOAC as they pertain to the methodology and practice of conducting regulatory commercial fertilizer registration and label review. The changes will update standards, ingredients and definitions in the current rule and publications to make them congruent with the new publications. IDAPA 02.06.12 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 contact Jared Stuart, Section Manager, Plant Industries at (208) 332-8622. 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.

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 30, 2019.

Dated this 2nd day of May, 2019.

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

IDAPA 02 – DEPARTMENT OF AGRICULTURE

02.06.31 – NOXIOUS WEED FREE FORAGE AND STRAW CERTIFICATION RULES

DOCKET NO. 02-0631-1901

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 22-101(3), 22-2403, 22-2411, 22-2412, and 22-2413, Idaho Code.

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

PUBLIC MEETING

Wednesday, June 26, 2019 - 10:00 a.m. to 12:00 p.m. (MDT)

Idaho State Department of Agriculture
2270 Old Penitentiary Road
Boise, ID 83712

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 jeremy.varley@isda.idaho.gov or dan.safford@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 that will be posted to the agency website at www.agri.idaho.gov.

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:

Federal lands managed by the Bureau of Land Management (BLM) and United States Forest Service (USFS) in Idaho and elsewhere requires forage or straw possessed or used within these boundaries to be certified noxious weed free. To meet this need, Idaho forage and straw growers who produce certified noxious weed free forage and straw for this Idaho market and the hay growers and processors that remanufacture certified forage/straw into pellets, cubes, and twice-compressed forage/straw bales for export to markets outside Idaho utilize a voluntary certification program at ISDA.

Nationally, the North American Invasive Species Management Association (NAISMA) is recognized as maintaining the national standard for certification and program definitions. ISDA first incorporated the national standard for certification in 2007. In October of 2018, this organization voted to change the name of its Weed Free Forage Certification program from “North American” to “NAISMA”. ISDA needs to update its NWFFS rules to reflect those changes. ISDA is requesting that the NAISMA prohibited weed list in the NWFFS Rules be listed through “Incorporation by Reference” to eliminate this repetitive practice. The NAISMA definitions and prohibited weed list are available to the public through the NAISMA website (www.naisma.org/weed-free-forage) or by contacting ISDA. In addition, ISDA trains inspectors from this list each year.

By updating this rule, the effected companies will be able to more easily continue exporting their product outside of Idaho. IDAPA 02.06.31 will also 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 Dan Safford at (208) 332-8592. 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.

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 30, 2019.

Dated this 3rd day of May, 2019.

Brian Oakey
Deputy Director
Idaho Department of Agriculture
2270 Old Penitentiary Rd.
P.O. Box 790
Boise, Idaho 83701
Phone: (208) 332-8550
Fax: (208) 334-2710

IDAPA 02 – DEPARTMENT OF AGRICULTURE

02.06.41 – RULES PERTAINING TO THE IDAHO SOIL AND PLANT AMENDMENT ACT OF 2001

DOCKET NO. 02-0641-1901

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 22-2204, Idaho Code.

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

PUBLIC MEETING
Wednesday, June 12, 2019 - 9:40 a.m. to 10:00 a.m. (MDT)
Idaho State Department of Agriculture 2270 Old Penitentiary Road Boise, ID 83712

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 Jared.Stuart@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:

The proposed changes incorporate by reference information and updates contained in the 2020 Official Publication of the Association of American Plant Food Control Officials (AAPFCO), Merck Index, and The Association of Official Agricultural Chemists (AOAC) International Official Methods of Analysis (OMA) of the AOAC as they pertain to the methodology and practice of conducting regulatory soil and plant amendment registration and label review. The changes will update standards, ingredients and definitions in the current rule and publications to make them congruent with the new publications. IDAPA 02.06.41 also 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 contact Jared Stuart, Section Manager, Plant Industries at (208) 332-8622. 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.

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 30, 2019.

Dated this 2nd day of May, 2019.

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

IDAPA 07 – DIVISION OF BUILDING SAFETY

07.03.01 – RULES OF BUILDING SAFETY

DOCKET NO. 07-0301-1901

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 39-4107, Idaho Code.

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

PUBLIC MEETING	
Tuesday, June 11, 2019 – 9:30 a.m. (MDT) And Tuesday, August 13, 2019 – 9:30 a.m. (MDT)	
Idaho Division of Building Safety 1090 E. Watertower Street, Suite 150 Meridian, ID 83642	
Via VIDEO TELECONFERENCE (same dates and times as above) At the following Division of Building Safety locations:	
Coeur d’Alene Regional Office 1250 Ironwood Drive, Suite 220 Coeur d’Alene, ID 83814	Pocatello Regional Office 2055 Garrett Way, Bldg. 1, Suite 4 Pocatello, ID 83201

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:

The Idaho Building Code Board (Board) invites interested members of the public who wish to participate to submit any written comments, questions, recommendations, or ideas to the Board on designated forms available on 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 meetings to be conducted on the dates listed above. The Board invites oral comments or presentations to be made at the meetings. More information on the meetings is available by contacting Deputy Administrator Ron Whitney at (208) 332-7150 or at 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 state of Idaho has been operating under 2015 editions of the International Building Code (IBC), International Existing Building Code (IEBC), and International Energy Conservation Code (IECC), and under the 2012 edition of the International Residential Code (IRC). The proposed amendments would adopt the 2018 editions of the IBC, IRC, IEBC, and IECC, but would retain existing Idaho amendments to the 2012 and 2015 editions of these codes, as applicable. Further Idaho amendments to the 2018 editions of these codes may be determined through the intended negotiated rulemaking.

Additionally, this rulemaking would eliminate or simplify provisions in IDAPA 07.03.01 to comply with the Red Tape Reduction Act. Such elimination may include provisions of IDAPA 07.03.01 that are duplicated in other IDAPA chapters related to factory built structures.

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 Jeff Egan, Building Code Program Manager, Division of Building Safety at (208) 332-7123 or at jeff.egan@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 June 10, 2019, for the June 11th meeting, or by August 8, 2019, for the August 13th meeting.

Dated this 6th day of May, 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

IDAPA 07 – DIVISION OF BUILDING SAFETY

07.08.01 – IDAHO MINIMUM SAFETY STANDARDS AND PRACTICES FOR LOGGING – GENERAL PROVISIONS

DOCKET NO. 07-0801-1901

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 67-2601A, Idaho Code.

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

PUBLIC MEETING	
Tuesday, June 25, 2019 – 4:00 p.m. (MDT)	
Idaho Division of Building Safety 1090 E. Watertower Street, Suite 150 Meridian, ID 83642	
Via VIDEO TELECONFERENCE (same date and time as above) At the following Division of Building Safety locations:	
Coeur d’Alene Regional Office 1250 Ironwood Drive, Suite 220 Coeur d’Alene, ID 83814	Pocatello Regional Office 2055 Garrett Way, Bldg. 1, Suite 4 Pocatello, ID 83201

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:

The Division invites interested members of the public who wish to participate to submit any written comments, questions, recommendations, or ideas to the Division on designated forms available on 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 Division 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.

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:

In accordance with 2019 HB2, the proposed amendments would allow the director of the Idaho State Police and the Idaho Transportation Board to enforce IDAPA 07.08.01 on public highways. The proposed amendments would also update and clarify provisions of IDAPA 07.08.01, eliminate outdated terminology, eliminate reference to outdated equipment and practices, and require important safety equipment and procedures. Specifically, the proposed amendments would require employers and employees to use specific safety equipment and procedures related to the use of eye, face, head, hand, and leg protection; machinery operator manuals; U-bolt wire rope clamps; swing yarders; Flemish eye splices; and guyline extensions. Further, the proposed amendments would eliminate language related to log dumps, log ponds, booms, towing, pond boats, tow boats, and rafting. The proposed amendments would also clarify procedures for checking in at the end of a shift, reporting unsafe logging conditions and practices, and loading logs onsite.

In addition, this rulemaking would eliminate or simplify provisions in IDAPA 07.08.01 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 Larry Jeffres, Regional Manager, Division of Building Safety at (208) 277-6526 or at larry.jeffres@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 June 18, 2019.

Dated this 6th day of May, 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

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

10.01.01 – RULES OF PROCEDURE

DOCKET NO. 10-0101-1901

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 54-1208, Idaho Code.

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

PUBLIC MEETING
Friday, June 28, 2019 - 10:00 a.m. (MDT)
Board Office 1510 E. Watertower Street, Ste. 110 Meridian, ID 83642

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

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

It is requested that all comments be submitted in writing for the record by June 27. In addition, oral presentations may be made at the public meeting on June 28.

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 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 amendments will implement the intent of the Governor's executive order relative to the Red Tape Reduction Act. The Rules of Procedure have some obsolete information that is removed and some of the requirements are relaxed or otherwise made less restrictive.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING DRAFT COPIES: For assistance on technical questions concerning this negotiated rulemaking or to obtain a preliminary draft copy of the rule text, contact Keith Simila at keith.simila@ipels.idaho.gov. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the Board's web site at the following web address: <https://ipels.idaho.gov>.

Anyone may submit written comments regarding this negotiated rulemaking. All written comments must be directed to the undersigned and must be delivered on or before June 27, 2019.

Dated this 6th day of May, 2019.

Keith Simila, P.E., Executive Director
Phone: (208) 373-7210 / Fax: (208) 373-7213
E-mail: keith.simila@ipels.idaho.gov

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

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

10.01.04 – RULES OF CONTINUING PROFESSIONAL DEVELOPMENT

DOCKET NO. 10-0104-1901

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 54-1208, Idaho Code.

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

PUBLIC MEETING
Friday, June 28, 2019 - 10:00 a.m. (MDT)
Board Office 1510 E. Watertower Street, Ste. 110 Meridian, ID 83642

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

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

It is requested that all comments be submitted in writing for the record by June 27. In addition, oral presentations may be made at the public meeting on June 28.

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 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 amendments will implement the intent of the Governor's executive order relative to the Red Tape Reduction Act. The Rules of Continuing Professional Development are changed to add mentoring as a new category, and license reinstatements are proposed to be exempted in their first reinstatement period. These changes will assist licensees by implementing less restrictive compliance measures.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING DRAFT COPIES: For assistance on technical questions concerning this negotiated rulemaking or to obtain a preliminary draft copy of the rule text, contact Keith Simila at keith.simila@ipels.idaho.gov. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the Board's web site at the following web address: <https://ipels.idaho.gov>.

Anyone may submit written comments regarding this negotiated rulemaking. All written comments must be directed to the undersigned and must be delivered on or before June 27, 2019.

Dated this 6th day of May, 2019.

Keith Simila, P.E., Executive Director
Phone: (208) 373-7210 / Fax: (208) 373-7213
E-mail: keith.simila@ipels.idaho.gov

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

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

10.01.05 – RULES FOR MILITARY OR VETERAN LICENSURE

DOCKET NO. 10-0105-1901 (NEW CHAPTER)

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 54-1208, and 67-9306, Idaho Code.

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

PUBLIC MEETING
Friday, June 28, 2019 - 10:00 a.m. (MDT)
Board Office 1510 E. Watertower Street, Ste. 110 Meridian, ID 83642

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

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

It is requested that all comments be submitted in writing for the record by June 27. In addition, oral presentations may be made at the public meeting on June 28.

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 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 amendments will implement the requirements of HB 248 as passed in the 2019 session of the legislature related to licensure for military personnel, spouses, and veterans. A new rule is proposed to implement the intent of the law. The rule will relate to initial and comity licensure as professional engineers or professional land surveyors.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING DRAFT COPIES: For assistance on technical questions concerning this negotiated rulemaking or to obtain a preliminary draft copy of the rule text, contact Keith Simila at keith.simila@ipels.idaho.gov. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the Board's web site at the following web address: <https://ipels.idaho.gov>.

Anyone may submit written comments regarding this negotiated rulemaking. All written comments must be directed to the undersigned and must be delivered on or before June 27, 2019.

Dated this 3rd day of May, 2019.

Keith Simila, P.E., Executive Director
Phone: (208) 373-7210 / Fax: (208) 373-7213
E-mail: keith.simila@ipels.idaho.gov

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

**IDAPA 11 – IDAHO STATE POLICE
STATE BRAND BOARD**

11.02.01 – RULES OF THE IDAHO STATE BRAND BOARD

DOCKET NO. 11-0201-1901

NOTICE OF RULEMAKING – ADOPTION OF TEMPORARY RULE

EFFECTIVE DATE: The effective date of the temporary rule is July 1, 2019.

AUTHORITY: In compliance with Section 67-5226, Idaho Code, notice is hereby given this agency has adopted a temporary rule. The action is authorized pursuant to Sections 25-1102, 25-1110, and 25-1160, Idaho Code.

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

Adoption of this temporary rule is needed to comply with amendments to Section 25-1160, Idaho Code, which require an equine farm service fee to be imposed for each case a brand inspector must travel from his assigned duty post to complete a brand inspection certificate for horses, mules, or asses.

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

To comply with deadlines in amendments to Section 25-1160, Idaho Code, which become effective July 1, 2019.

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

Amendments to Section 25-1160, Idaho Code, require an equine farm service fee to be imposed for each case a brand inspector must travel from his assigned duty post to complete a brand inspection certificate for horses, mules, or asses.

The temporary rule levies a \$55.00 convenience fee to equine owners who choose to have the brand inspector come to their residence to perform brand inspection duties on horses, mules, or asses. In lieu of the convenience fee, equine owners may transport their animals to a brand inspector's assigned duty post, livestock market, or feedlot approved by the Idaho State Department of Agriculture for inspection.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning the temporary rule, contact Cody D. Burlile, State Brand Inspector, at (208) 884-7070.

Dated this 23rd day of May, 2019.

Cody D. Burlile
State Brand Inspector
Idaho State Police/Idaho State Brand Board
700 S. Stratford Drive
P.O. Box 1177
Meridian, ID 83680-1177
Phone: (208) 884-7070
Fax: (208) 884-7097

THE FOLLOWING IS THE TEXT OF THE TEMPORARY RULE FOR DOCKET NO. 11-0201-1901
(Only Those Sections With Amendments Are Shown.)

034. SCHEDULE OF FEES FOR THE IDAHO STATE BRAND BOARD.

01. Fees. Fees authorized by the State Brand Board and to be collected by the State Brand Inspector are as follows:

SCHEDULE OF FEES		
Recording of a Brand	\$50 initial recording fee plus a \$20 per year prorated staggered renewal fee every year thereafter	
Transfer of a recorded brand	\$50.00	
Renewal of a recorded brand (every five years)	\$100.00	
Duplicate brand registration certificate	\$1.50	
Ownership and transportation certificate	\$35.00	
Duplicate ownership and transportation certificate	\$5.00	
Annual inspection equine or bovine	\$5.00	
	CATTLE	HORSES
Brand inspection (per head)	\$1.19	\$1.50
Idaho livestock to pasture (per head)	\$.60	\$.75
Minimum auction fee (per day)	\$50.00	\$50.00
Minimum field brand inspection fee	\$20.00	\$20.00
<u>Equine farm service fee</u>		<u>\$55.00</u>
Courtesy brand inspection	\$1.19	\$1.50

Fees To Be Collected By The State Brand Inspector For Other State Agencies:	
Idaho Beef Council (per head)	\$1.50
Idaho Horse Board (per head)	\$3.00
Idaho Department of Agriculture:	
Animal health (per head)	\$.22
Predator control (per head)	\$.05

~~(4-1-19)~~(7-1-19)T

02. Due and Payable. Pursuant to Section 25-1160(5), Idaho Code, all brand inspection fees, and all other fees required to be collected by the Brand Inspector are due and payable at the time of inspection, except that livestock owners may make arrangements with a deputy brand inspector to pay for all accumulated brand inspection

fees within each seven (7) day period. Failure to comply with this rule will cancel the previously approved schedule and shall make all fees immediately due and payable. Feedlots, currently approved by the Idaho Department of Agriculture, and slaughter plants are exempt from the minimum brand inspection fee. Other minimum brand inspection fees may be waived at the discretion of the State Brand Inspector or District Brand Supervisor. (3-30-01)

03. Equine Farm Service Fee. Pursuant to Section 25-1160(2), Idaho Code, there shall be an equine farm service fee for each case a brand inspector must travel from his assigned duty post to complete a brand inspection certificate for horses, mules, or asses, which fee shall be in addition to any brand inspection certificate or other written permit requested by the owner or owners of a horse, mule, or ass under any other provisions of law. Livestock auctions and feedlots currently approved by the Idaho State Department of Agriculture are exempt from the equine farm service fee. (7-1-19)T

IDAPA 13 – IDAHO FISH AND GAME COMMISSION

13.01.08 – RULES GOVERNING THE TAKING OF BIG GAME ANIMALS IN THE STATE OF IDAHO

DOCKET NO. 13-0108-1902AP

NOTICE OF AMENDED PROCLAMATION

AUTHORITY: In compliance with Section 36-105(3), Idaho Code, notice is hereby given that the Commission has amended its 2019 and 2020 Idaho Big Game Seasons at a special meeting that occurred on April 11, 2019. Under the amendment, there will now be a year-round season for hunting gray wolf on private land in Units 50 (excluding Blaine County) and 51 during the 2019-2020 and 2020-2021 seasons.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning the proclamation, contact Owen Moroney at (208) 334-3715.

IDAPA 13 – DEPARTMENT OF FISH AND GAME

13.01.08 – RULES GOVERNING THE TAKING OF BIG GAME ANIMALS IN THE STATE OF IDAHO

DOCKET NO. 13-0108-1903

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 Idaho Code sections 36-104 and 36-1101.

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, by calling the phone number listed below or by posting to the Department of Fish and Game website at <https://idfg.idaho.gov/>. To participate, responses must be received by June 27, 2019.

Should a reasonable number of persons respond to this notice, negotiated meetings may 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:

Negotiated rulemaking will address reducing tag buyer congestion for highly competitive general season tags by enacting a waiting period or eligibility period to allow applicants who have not applied for controlled tags to purchase tags during this waiting period. For some background, high demand for general season hunting tags in capped hunting zones and related buyer congestion on initial tag sale days has led to requests for waiting periods for tag purchase eligibility. Establishing a delayed eligibility period (e.g., five days) for controlled hunt applicants to buy big game tags in areas with tag limits (capped zones) is a method for reducing buyer congestion. Individuals who did not apply for controlled hunts would have an opportunity to buy capped zone tags during this period.

ASSISTANCE ON TECHNICAL QUESTIONS, MEETING ACCOMMODATIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING DRAFT COPIES: For assistance on technical questions concerning this negotiated rulemaking, requests for special meeting accommodations or accessibility, or to obtain a preliminary draft copy of the rule text, contact Paul Kline, (208) 334-3771. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the Department of Fish and Game web site at the following web address: <https://idfg.idaho.gov/>.

Dated this 1st day of May, 2019.

Paul Kline
Deputy Director
Idaho Department of Fish and Game
600 S. Walnut, P.O. Box 25
Boise, ID 83707
Phone: (208)334-3771
Fax: (208)334-4885

IDAPA 13 – DEPARTMENT OF FISH AND GAME

13.01.08 – RULES GOVERNING THE TAKING OF BIG GAME ANIMALS IN THE STATE OF IDAHO

DOCKET NO. 13-0108-1904

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 Sections 36-104 and 36-1101, 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, by calling the phone number listed below or by posting to the Department of Fish and Game website at <https://idfg.idaho.gov/>. To participate, responses must be received by June 27, 2019.

Should a reasonable number of persons respond to this notice, negotiated meetings may 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:

Negotiated rulemaking will address providing the Commission with authority to limit by proclamation the number of non-resident deer and elk tags issued in general hunt areas without limiting resident tags, with related consideration for allocated outfitter tags to provide the Commission flexibility to address hunter crowding and congestion.

ASSISTANCE ON TECHNICAL QUESTIONS, MEETING ACCOMMODATIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING DRAFT COPIES: For assistance on technical questions concerning this negotiated rulemaking, requests for special meeting accommodations or accessibility, or to obtain a preliminary draft copy of the rule text, contact Paul Kline, (208) 334-3771. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the Department of Fish and Game web site at the following web address: <https://idfg.idaho.gov/>.

Dated this 1st day of May, 2019.

Paul Kline
Deputy Director
Idaho Department of Fish and Game
600 S. Walnut, P.O. Box 25
Boise, ID 83707
Phone: (208)334-3771
Fax: (208)334-4885

IDAPA 13 – IDAHO FISH AND GAME COMMISSION

13.01.09 – RULES GOVERNING THE TAKING OF GAME BIRDS IN THE STATE OF IDAHO

DOCKET NO. 13-0109-1901P

NOTICE OF PROCLAMATION

AUTHORITY: In compliance with Section 36-105(3), Idaho Code, notice is hereby given that this agency has adopted by proclamation the 2019-2020 Idaho Migratory Game Bird Seasons at a special meeting that occurred on April 11, 2019. The proclamation establishes seasons and limits for taking of ducks, geese, mourning doves, sandhill cranes, American coot, Wilson’s snipe, and American crow in Idaho.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning the proclamation, contact Owen Moroney at (208) 334-3715.

IDAPA 13 – DEPARTMENT OF FISH AND GAME

13.01.09 – RULES GOVERNING THE TAKING OF GAME BIRDS IN THE STATE OF IDAHO

DOCKET NO. 13-0109-1902

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 Sections 36-104(b)(2), (16); 36-401(a)(8); 36-409(i); and 36-1101, 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, by calling the phone number listed below or by posting to the Department of Fish and Game website at <https://idfg.idaho.gov/>. To participate, responses must be received by June 27, 2019.

Should a reasonable number of persons respond to this notice, negotiated meetings may 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:

Negotiated rulemaking will address two changes to the IDAPA 13.01.09. The first change would allow Hunting Passport holders younger than age 10 to possess a turkey tag for general season turkey hunts, youth-only general hunts, turkey landowner permission hunts, and depredation hunts. The second change would provide authority to the Commission to designate by proclamation the areas with pheasant stocking programs where possession of a WMA Upland Game Bird Permit is required for any person age eighteen or older who is hunting or possessing pheasants.

ASSISTANCE ON TECHNICAL QUESTIONS, MEETING ACCOMMODATIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING DRAFT COPIES: For assistance on technical questions concerning this negotiated rulemaking, requests for special meeting accommodations or accessibility, or to obtain a preliminary draft copy of the rule text, contact Paul Kline, (208) 334-3771. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the Department of Fish and Game web site at the following web address: <https://idfg.idaho.gov/>.

Dated this 1st day of May, 2019.

Paul Kline
Deputy Director
Idaho Department of Fish and Game
600 S. Walnut, P.O. Box 25
Boise, ID 83707
Phone: (208)334-3771
Fax: (208)334-4885

IDAPA 13 – DEPARTMENT OF FISH AND GAME

13.01.10 – RULES GOVERNING THE IMPORTATION, POSSESSION, RELEASE, SALE, OR SALVAGE OF WILDLIFE

DOCKET NO. 13-0110-1901

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 Sections 36-104(b)(6), 36-106(e)(5(A), and 36-701(d), 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, by calling the phone number listed below or by posting to the Department of Fish and Game website at <https://idfg.idaho.gov/>. To participate, responses must be received by June 27, 2019.

Should a reasonable number of persons respond to this notice, negotiated meetings may 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:

Negotiated rulemaking will address the import of live cervids (elk, deer, moose) in Idaho that are not subject to Idaho Department of Agriculture import rules.

ASSISTANCE ON TECHNICAL QUESTIONS, MEETING ACCOMMODATIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING DRAFT COPIES: For assistance on technical questions concerning this negotiated rulemaking, requests for special meeting accommodations or accessibility, or to obtain a preliminary draft copy of the rule text, contact Paul Kline, (208) 334-3771. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the Department of Fish and Game web site at the following web address: <https://idfg.idaho.gov/>.

Dated this 1st day of May, 2019.

Paul Kline
Deputy Director
Idaho Department of Fish and Game
600 S. Walnut, P.O. Box 25
Boise, ID 83707
Phone: (208)334-3771
Fax: (208)334-4885

IDAPA 13 – DEPARTMENT OF FISH AND GAME

13.01.17 – RULES GOVERNING THE USE OF BAIT AND TRAPPING FOR TAKING BIG GAME ANIMALS

DOCKET NO. 13-0117-1901

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 Sections 36-104 and 36-1101, 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, by calling the phone number listed below or by posting to the Department of Fish and Game website at <https://idfg.idaho.gov/>. To participate, responses must be received by June 27, 2019.

Should a reasonable number of persons respond to this notice, negotiated meetings may 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:

Negotiated rulemaking will address modifying the combination of gear requirements (diverters, break-away devices, and cable stops) for trapping wolves with ground set snares, balancing effective wolf capture with prevention of non-target animal capture.

ASSISTANCE ON TECHNICAL QUESTIONS, MEETING ACCOMMODATIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING DRAFT COPIES: For assistance on technical questions concerning this negotiated rulemaking, requests for special meeting accommodations or accessibility, or to obtain a preliminary draft copy of the rule text, contact Paul Kline, (208) 334-3771. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the Department of Fish and Game web site at the following web address: <https://idfg.idaho.gov/>.

Dated this 1st day of May, 2019.

Paul Kline
Deputy Director
Idaho Department of Fish and Game
600 S. Walnut, P.O. Box 25
Boise, ID 83707
Phone: (208)334-3771
Fax: (208)334-4885

IDAPA 16 – DEPARTMENT OF HEALTH AND WELFARE

16.02.04 – SYRINGE AND NEEDLE EXCHANGE PROGRAM

DOCKET NO. 16-0204-1901 (NEW CHAPTER)

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 37-3406, Idaho Code.

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

Monday, June 10, 2019 6:00 p.m. (PDT)	Wednesday, June 12, 2019 6:30 p.m. (MDT)	Thursday, June 13, 2019 6:30 p.m. (MDT)
Coeur d’Alene Resort 115 S. 2nd St. Bay Room Coeur d’Alene, ID 83814	Red Lion Inn 1555 Pocatello Creek Rd. Washington Room Pocatello, ID 83201	SpringHill Suites 424 E. ParkCenter Blvd. Selway Room Boise, ID 83706

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.

Send to:
Idaho Department of Health & Welfare
Division of Public Health
Attn: Aimee Shipman
P.O. Box 83720
Boise, ID 83720-0036
E-mail: Aimee.Shipman@dhw.idaho.gov

Hand Deliver to:
450 West State Street
Boise, ID 83702
Attn: Aimee Shipmen
Div. of Public Health

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:

In accordance with H0180 (2019), the Idaho Department of Health and Welfare is planning to develop a new chapter of rules to administer the new Syringe and Needle Exchange Program and to enforce the provisions of the Syringe and Needle Exchange Act (Title 37, Chapter 34, Idaho Code). The Department is seeking public input on this new chapter of rules.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning this negotiated rulemaking, please contact Aimee Shipman at (208) 334-6526.

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, June 14, 2019.

Dated this 22nd 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

IDAPA 16 – DEPARTMENT OF HEALTH AND WELFARE

16.03.10 – MEDICAID ENHANCED PLAN BENEFITS

DOCKET NO. 16-0310-1704

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

AUTHORITY: In compliance with Sections 67-5220(1) and 67-5220(2), Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Sections 56-202, 56-203, 56-250 through 56-257, and 56-260 through 56-266, Idaho Code.

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

PUBLIC (LIVE) MEETING
Friday, June 28, 2019 - 1:00 p.m. (MDT)

**Department of Health & Welfare
Medicaid Central Office
3232 Elder Street
Conference Room D-East/West
Boise, ID 83705**

Via Video Conference Friday, June 28, 2019

**12:00 p.m. (PDT)
Region 1 - DHW Office
1120 Ironwood Drive
Suite 102
Lower Level - Large Conf. Room
Coeur d'Alene, ID 83814**

**1:00 p.m. (MDT)
Region 6 - DHW Office
1070 Hilina Road
(brown brick building)
Second Floor - Suite 230
Pocatello, ID 83201**

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.

Send to:
Idaho Department of Health & Welfare
Division of Medicaid
Attn: Karen Westbrook
P.O. Box 83720
Boise, ID 83720-0036
E-mail: BDDSRules@dhw.idaho.gov

Hand Deliver to:
3232 Elder Street
Boise, ID 83705
Attn: Karen Westbrook

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 is seeking public input on the revision of rules regarding provider reimbursement methodology for certain Home and Community-Based Services (HCBS), including residential habilitation agencies, developmental disability agencies, supported employment agencies and targeted service coordination agencies.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning this negotiated rulemaking, please contact Karen Westbrook at (208) 364-1960.

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, July 5th, 2019.

Dated this 22nd 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

IDAPA 16 – DEPARTMENT OF HEALTH AND WELFARE

16.03.18 – MEDICAID COST-SHARING

DOCKET NO. 16-0318-1901

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 56-253 and 56-257, Idaho Code.

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

PUBLIC (LIVE) MEETING
Tuesday, June 18, 2019 - 2:00 p.m. to 4:00 p.m. (MDT)
Division of Medicaid Office- Conference Room D-East 3232 Elder Street Boise, ID 83705

WEB MEETING INFORMATION
Meeting number: 800 602 105 Event Password: BLTC Event Address for Attendees: https://idhw.webex.com/idhw/j.php?MTID=m3f3bfac24000bc2ac29db341978b693f
TELECONFERENCE CALL-IN - PHONE ONLY 2:00 p.m. (MT) / 1:00 p.m. (PT)
USA Toll: (720) 650-7664 Meeting Number/Access Code: 800 602 105 Meeting Password: 2582

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
Division of Medicaid
Attn: Jennifer Pinkerton
3232 Elder Street
Boise, ID 83705
E-mail: Jennifer.Pinkerton@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 Centers for Medicare and Medicaid Services (CMS) identified that Idaho is not in compliance with the reasonableness requirements described at 42 CFR 435.726(c)(i). Currently, Idaho has six categories identifying the Personal Needs Allowance (PNA), which is a deduction allowed during the income eligibility determination which helps offset their individual cost sharing requirement.

These six categories are split up by marital status and by whether or not the participant is responsible for a rent or mortgage expense. In order to retain ongoing authority to administer the Aged and Disabled Waiver programs, the state must apply consistent PNA standards for all participants regardless of marital status in order to meet the reasonableness requirements. Negotiated rulemaking will help determine whether the Personal Needs Allowance (PNA) for HCBS participants who do not have a rent or mortgage expense will be aligned to either 100%, 125%, or 150% of the SSI Federal Benefit to meet the CMS reasonableness requirement.

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 Jennifer.Pinkerton@dhw.idaho.gov, (208) 287-1171. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on Medicaid's web site at the following web address: <https://healthandwelfare.idaho.gov/Medical/Medicaid/MedicaidPolicy/tabid/3543/Default.aspx>.

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 21, 2019.

Dated this 22nd 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

IDAPA 16 – DEPARTMENT OF HEALTH AND WELFARE

16.05.06 – CRIMINAL HISTORY AND BACKGROUND CHECKS

DOCKET NO. 16-0506-1902

NOTICE OF INTENT TO PROMULGATE RULES – NEGOTIATED RULEMAKING

AUTHORITY: In compliance with Sections 67-5220(1) and 67-5220(2), Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Sections 56-202(b), 56-203(2), 56-204A, 56-1004A, 56-1007, 39-1105, 39-1107, 39-1111, 39-1210(10), 39-1211(4), 39-3520, 39-5604, 39-9109, 66-404(7), 15-5-308(4), 15-5-311(5), and 15- 5-316(5), Idaho Code. Under 42 USC Section 9858f, the Department is required to check certain records for federal child care programs.

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

PUBLIC (LIVE) MEETINGS	
Tuesday, June 11, 2019 1:00 - 3:00 p.m. (PDT)	Thursday, June 13, 2019 1:00 - 3:00 p.m. (MDT)
CDA - DHW Office 1120 Ironwood Dr. Large Conf. Room Coeur D'Alene, ID 83814	Idaho Falls - DHW Office 150 Shoup Ave. 2nd Floor Conf. Rm Idaho Falls, ID 83402
Monday, June 17, 2019 10:00 am - 12:00 pm (MDT)	Tuesday, June 18, 2019 10:00 am - 12:00 pm (MDT)
Caldwell - DHW Office 3402 Franklin Rd. Grand Teton Conf. Room Caldwell, ID 83605	Boise - Westgate DHW Office 1720 Westgate Dr. Suite A, Room 131 Boise, ID 83704

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:

1. Stakeholders have expressed a desire for the Department to clarify who is subject to the background check.
2. Stakeholders have expressed a desire for the Department to clarify background check documentation record keeping requirements.
3. The Department has already promulgated rules (IDAPA 16.03.15) that have identified a new class of individuals required to obtain a DHW clearance. We seek to incorporate that requirement into this rule to ensure agreement between both rules.
4. Stakeholders have expressed a desire for the Department to clarify when an incomplete application is no longer viable for processing.
5. The Department has determined that the crime of “assault with intent to commit a serious felony,” Section 18-909, Idaho Code, is indicative of the inability of the applicant to care for the vulnerable. Therefore, it wishes to add it to the list of disqualifying offenses of the rule.
6. Stakeholders have expressed a desire for the Department to clarify when a new background check or state-only check is required for a rehired employee.

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 Fernando Castro, (208) 332-7999.

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 21, 2019.

Dated this 22nd 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

IDAPA 20 – IDAHO DEPARTMENT OF LANDS

20.03.03 – RULES GOVERNING ADMINISTRATION OF THE RECLAMATION FUND

DOCKET NO. 20-0303-1901

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 58-104(6) and 58-105, Idaho Code.

MEETING SCHEDULE: Scheduled negotiated rulemaking meetings will begin during the week of June 10, 2019, and will be posted on the agency website at www.idl.idaho.gov/rulemaking. Please contact Todd Drage at (208) 334-0247 or at tdrage@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 no 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.

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

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:

The passage of House Bill 141 during the 2019 legislative session significantly amended definitions and terminology associated with Idaho's Reclamation Fund, also known as the Bond Assurance Fund. Pursuant to Title 47, Chapter 18, Idaho Code, the Idaho Department of Lands manages the Bond Assurance Fund, which provides affordable and attainable financial assurances for mining operators, allowing compliance with Idaho's mining regulations.

This rulemaking is needed to address definitions and terminology that were changed by House Bill 141. This rulemaking will also address requests received from operators to consider potential expansion of the fund's acreage limit to allow more participation, and potential removal of mandatory participation requirements to allow operators to provide other types of financial assurances.

ASSISTANCE ON TECHNICAL QUESTIONS AND OBTAINING DRAFT COPIES: For assistance on technical questions concerning this negotiated rulemaking or requests for special meeting accommodations or accessibility, contact Todd Drage at (208) 334-0247 or tdrage@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: www.idl.idaho.gov/rulemaking.

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. All written comments must be directed to the undersigned and must be delivered on or before July 15, 2019.

Dated this 3rd day of May, 2019.

Todd Drage
Minerals Regulatory Program Manager
Phone: (208) 334-0247
Fax: (208) 334-3698

Idaho Department of Lands
300 N. 6th Street, Suite 103
P.O. Box 83720
Boise, Idaho 83720-0050

IDAPA 20 – IDAHO DEPARTMENT OF LANDS

20.03.04 – RULES FOR THE REGULATION OF BEDS, WATERS, AND AIRSPACE OVER NAVIGABLE LAKES IN THE STATE OF IDAHO

DOCKET NO. 20-0304-1901

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 58-104(6), 58-105, and 58-1304, Idaho Code.

MEETING SCHEDULE: Scheduled negotiated rulemaking meetings will begin during the week of June 10, 2019, and will be posted on the agency website at www.idl.idaho.gov/rulemaking. Please contact Andrew Smyth at (208) 334-0248 or asmith@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. If providing comments by email, please enter IDAPA 20.03.04 in the subject line.

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

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:

All funding used to manage the beds of navigable waterways comes from the fees and rent collected from the use of these lands; no general tax dollars support this work. The costs for processing encroachment permit applications for single-family docks, two-family docks, water-intake lines, and assignments exceed the current application fees collected. The Idaho Department of Lands (IDL) is considering raising the fees for these four types of applications to ensure fees cover the respective processing costs. IDL is also considering potentially removing the fee schedule from the rules to have encroachment permit fees set by the Land Board within the limitations provided in Section 58-1307, Idaho Code.

In addition, Section 58-1305, Idaho Code, does not specify who should provide notice of application to adjacent property owners for all noncommercial navigational encroachments. IDL is considering changing the rules to prescribe that the department shall provide notice.

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 Andrew Smyth at (208) 334-0248 or asmith@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: www.idl.idaho.gov/rulemaking.

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. All written comments must be directed to the undersigned and must be delivered on or before July 12, 2019.

Dated this 3rd day of May, 2019.

Andrew Smyth
Public Trust Program Manager
Phone: (208) 334-0248
Fax: (208) 334-3698

Idaho Department of Lands
300 N. 6th Street, Suite 103
P.O. Box 83720
Boise, Idaho 83720-0050

IDAPA 23 – BOARD OF NURSING

23.01.01 – RULES OF THE IDAHO BOARD OF NURSING

DOCKET NO. 23-0101-1901

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 54-1404, Idaho Code.

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

PUBLIC MEETING

Friday, July 12, 2019 - 10:30 a.m. to 12:00 p.m. (MDT)

**SpringHill Suites by Marriott
Clearwater Room
424 E. Park Center Blvd.
Boise, ID 83706**

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:

All written comments received on or before Wednesday, July 10, 2019, will be included in the Board's distributed meeting materials for consideration. For those planning to attend the open, public meeting, written and verbal comments will be accepted by and/or presented before the Board.

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 comply with the Red Tape Reduction Act (Executive Order 2019-02) by reducing the overall volume of the Board of Nursing (Board) rules. Currently the Medication Assistant – Certified (MA-C) rules for certification eligibility, education, fees, and disciplinary action are similar or exactly the same as rules for applicants or currently licensed registered nurses, practical nurses or advanced practice registered nurses. The rulemaking would consolidate the common rules for MA-C personnel and nurses so the public and certified or licensed personnel can easily locate the information. Information regarding fees, name and address changes, eligibility for certification or licensure, disciplinary action, and education requirements regarding all personnel regulated by the Board will be combined. In addition to minor housekeeping changes, the rulemaking would eliminate unnecessary language, combine rule language when possible, and eliminate or simplify redundant language.

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 Susan Odom, Interim Executive Director, at (208) 577-2479. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the Board's web site at <https://ibn.idaho.gov/IBNPortal/>.

Anyone may submit written comments regarding this negotiated rulemaking. All written comments must be directed to the undersigned and must be received on or before Wednesday, July 10, 2019.

Dated this 2nd day of May, 2019.

Susan Odom
Interim Executive Director
Idaho Board of Nursing
280 N. 8th St. (8th & Bannock), Ste. 210
P. O. Box 83720
Boise, ID 83720-0061
Phone: (208) 577-2479
Fax: (208) 334-3262

IDAPA 25 – IDAHO OUTFITTERS AND GUIDES LICENSING BOARD
25.01.01 – RULES OF THE IDAHO OUTFITTERS AND GUIDES LICENSING BOARD
DOCKET NO. 25-0101-1901
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 36-2107, Idaho Code.

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

PUBLIC MEETING	
Wednesday, June 12, 2019 1:00 p.m. (MDT)	Friday, August 2, 2019 1:00 p.m. (MDT)

Idaho Outfitters and Guides Licensing Board
1365 N. Orchard Street
Room 172
Boise, ID 83706

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: For persons wishing to participate in the negotiated rulemaking the Board requests that comments be submitted in writing. Oral and written testimony will also be taken at the public meetings. Written comments may be submitted via mail, e-mail or Fax:

Idaho Outfitters and Guides Licensing Board
1365 N. Orchard St., Room 172
Boise, Idaho 83706

Email: licensing@oglb.idaho.gov
Fax: (208) 327-7382

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 Idaho Outfitters and Guides Licensing Board will be proposing rules to implement the 2019 law changes involving the designation to outfitters of deer and elk tags allocated by the Idaho Fish and Game Commission in capped zones and controlled hunts.

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 Lori Thomason at (208) 327-7380. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the Idaho Outfitters and Guides Licensing Board’s web site at the following web address: www.oglb.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 July 29, 2019.

Dated this 8th day of May, 2019.

Lori Thomason
Executive Director
Outfitters and Guides Licensing Board
1365 North Orchard Street #172
Boise, Idaho 83706
Phone: (208) 327-7380
Fax: (208) 327-7382

IDAPA 25 – IDAHO OUTFITTERS AND GUIDES LICENSING BOARD
25.01.01 – RULES OF THE IDAHO OUTFITTERS AND GUIDES LICENSING BOARD
DOCKET NO. 25-0101-1902
NOTICE OF RULEMAKING – ADOPTION OF TEMPORARY RULE

EFFECTIVE DATE: The effective dates of the temporary rule are April 26, 2019, and May 22, 2019.

AUTHORITY: In compliance with Sections 67-5226, Idaho Code, notice is hereby given this agency has adopted a temporary rule. The action is authorized pursuant to Section 36-2107(j), Idaho Code.

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

On April 26 and 29, 2019, the Idaho Outfitters and Guides Licensing Board met and adopted a temporary to implement House Bill 192 from the 2019 Legislative Session, which was effective March 28, 2019 pursuant to an emergency clause. The temporary rule is needed to ensure that deer and elk tags allocated for the use of client's of outfitters could be distributed and used for this hunting season. Subsequently, Board met on May 22, 2018 to reconsider its interpretation of the law and the temporary rule for the designation of allocated tags. Based upon the significant amount of comment and requests from outfitters and the overall effect of the timing of the law change, the Board amended the temporary rule. The amendment to the rule provides continuity for capped zones and controlled hunts for which the Idaho Fish and Game Commission did not change the number of allocated tags for this season, and it makes changes to the type of use that is the basis for calculations for controlled hunts.

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

A temporary rule is needed to implement the new law and ensure that allocated hunting tags can be distributed and used for this hunt season.

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

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning the temporary rule, contact Lori Thomason at (208) 327-7380.

Dated this 22nd day of May, 2019.

Lori Thomason
Executive Director
Outfitters and Guides Licensing Board
1365 North Orchard Street #172
Boise, Idaho 83706
Phone: (208) 327-7380
Fax: (208) 327-7382

THE FOLLOWING IS THE TEXT OF THE TEMPORARY RULE FOR DOCKET NO. 25-0101-1902
(Only Those Sections With Amendments Are Shown.)

000. LEGAL AUTHORITY.

Rules of the Idaho Outfitters and Guides Licensing Board have been promulgated in accordance with the Idaho Administrative Procedures Act and pursuant to authority granted in the Outfitters and Guides Act (Idaho Code, Title 36, Chapter 21). ~~Pursuant to Section 36-2107, Idaho Code, the~~ Board offices ~~shall be~~ are located at 1365 N. Orchard, Suite 172, Boise, Idaho 83706. The Board's normal working hours are from 8 a.m. to 5 p.m., Mountain Time. The Board's telephone number is (208) 327-7380 and the FAX number is (208) 327-7382. The Board's website at www.oglb.idaho.gov. ~~The Board shall accept electronic signatures including facsimile signatures and other electronic signatures to the extent the Board's electronic equipment is able to receive and process such signatures.~~ (3-29-10)(4-26-19)T

001. TITLE AND SCOPE.

The purpose is to implement, administer, and enforce the Act to: (7-1-93)

~~01. **Criteria.** To establish criteria, guidelines, and policies for the implementation, administration, and enforcement of the Act.~~ (3-1-86)

~~02. **Uniform Standards.** To establish uniform standards for licensing outfitted and guided activities ~~in Idaho in order~~ to protect, enhance, and facilitate management of Idaho's fish, wildlife, and recreational resources and the~~ (3-1-86)

~~03. **Adequate Protection and Enhancement.** To provide for adequate protection and enhancement of public health, safety, welfare, and enjoyment from the use of Idaho's fish, wildlife, and recreational resources.~~ (3-1-86)(4-26-19)T

~~04. **Other.** And for other purposes.~~ (3-1-86)

~~05. **General.** The Outfitters and Guides Act and these rules apply to all those who for compensation provide facilities, equipment, or services for the conduct of hunting, fishing, boating, or hazardous excursions, whether the compensation is in the form of cash, goods, or services.~~ (3-1-86)

002. DEFINITIONS.

The Act defines certain terminology applicable to its interpretation and administration (Idaho Code 36-2102). Further definitions, for the purposes of these Rules are: (4-1-92)

01. Act. Shall mean Idaho Code, Title 36, Chapter 21, commonly known as the Outfitters and Guides Act, as amended. (4-1-92)

02. Administrative Noncompliance. (3-10-03)

a. Two (2) or more repeated failures to apply for license renewal in a timely manner; or (3-10-03)

b. Two (2) or more repeated failures to file a complete application pursuant to Section 36-2113(a)(1), Idaho Code. (3-10-03)

03. Allocated Tag. A deer or elk tag in a capped zone or controlled hunt area that has been allocated by the Idaho Fish and Game Commission for use by hunters that have entered into an agreement to utilize the services of a licensed outfitter. (4-26-19)T

034. Authorized Person. An investigator or enforcement agent in the employ of the Board, a conservation officer of the Idaho Department of Fish and Game, or any local, state, or federal law enforcement officer. (4-1-92)

~~**04. Board.** *The Idaho Outfitters and Guides Licensing Board.* (4-1-92)~~

~~**05. Board Meeting.** *The set schedule of meeting dates established for conduct of regular Board business on a calendar year basis. Additional meetings may be scheduled as necessary. (See Section 071).* (4-1-92)~~

065. Booking Agent. Any individual, firm, business, partnership, or corporation that makes arrangements for the use of the services of a licensed outfitter and receives compensation therefore. A booking agent does not supply personnel or facilities and services to outfitter clientele. (4-1-92)

06. Capped Zone. A game management area, unit or zone for which the Idaho Fish and Game Commission has limited or "capped" the number of deer or elk tags available for use in a general season hunt. (4-26-19)T

~~**079. Compensation.** The receipt or taking of goods, services, or cash in exchange for outfitted or guided activities. A bona fide charging of out-of-pocket travel expenses by members of a recreational party shall not be deemed compensation. However, such out-of-pocket expenses may not include depreciation, amortization, wages, or other recompense. (4-1-92)~~

~~**10. Completed Application.** *An application submitted for Board consideration which contains all of the material required to be submitted by the Board for that license category.* (4-1-92)~~

~~**098. Consideration.** The receipt or taking of goods, services, or cash in exchange for the provision of facilities and services in the conduct of outfitted or guided activities. (4-1-92)~~

09. Controlled Hunt. A hunt for a species that has a season structure and other conditions determined by the Idaho Fish and Game Commission and that has a limited number of tags that are distributed by random drawing to hunters. (4-26-19)T

10. Desert. A region of scarce rainfall and vegetation in areas often having great differences between day, night and seasonal temperatures. A desert is a land surface ranging from level, plateau land, or undulating to sharply breaking hill-lands and sand dunes that, in addition, may be broken by poor to well-defined, deeply entrenched drainage systems, rims, cliffs, and escarpments. (4-1-92)

11. Designated Agent. An individual who meets all qualifications for an outfitter's license who is employed as an agent by any person, firm, partnership, corporation, or other organization or combination thereof that is licensed by the Board to operate as an outfitter and who shall, together with the licensed outfitter, be responsible and accountable for the conduct of the licensed outfitter's operations. A designated agent may act as a guide if he possesses the qualifications of a guide as determined by the Board. (Previously referred to as Managing Agent). (4-11-06)

12. Drift Boats. May be substituted for and have the same meaning as "float boats" defined below. (4-1-92)

13. Enforcement Agent. An individual employed by the Board having the power of peace officers to enforce the provisions of the Idaho Outfitters and Guides Act (Idaho Code, Title 36, Chapter 21) and the Rules promulgated thereunder. (4-1-92)

14. Facilities and Services. The provision of personnel, lodging (tent, home, lodge, or hotel/motel), transportation (other than by commercial carrier), guiding, preparation and serving of food and equipment, or any other accommodation for the benefit of clientele in the conduct of outdoor recreational activities as designed in Section 36-2102(b), Idaho Code. (4-1-92)

15. First Aid Card. A valid card or other evidence demonstrating that issued by the American Red

~~Cross to denote~~ the individual whose name and signature appear thereon has successfully completed an applicable American Red Cross course or equivalent course that is acceptable to the Board and is qualified to render appropriate, minimal first aid as prescribed by the American Red Cross, ~~or other valid evidence showing successful completion of an equivalent course conducted by an organization acceptable to the Board.~~ (4-1-92)(4-26-19)T

16. Fishing. Fishing activities on those waters and for those species described in the rules of the Idaho Department of Fish and Game, IDAPA 13.01.11, "Rules Governing Fish," general fishing seasons and any anadromous fishing rules; for purposes of the "Act," fishing is defined as follows: (4-1-92)

- a. Anadromous fishing means fishing for salmon or steelhead trout. (4-1-92)
- b. Float boat fishing means the use of floatboats without motors for the conduct of fishing as a major activity on those waters open to commercial activities as set forth in Section 059. (4-1-92)
- c. Fly fishing means a licensed activity restricted to the use of fly fishing equipment and procedures, as defined by Idaho Department of Fish and Game rules. (4-1-92)
- d. Incidental fishing means fishing conducted as a minor activity. (4-1-92)
- e. Power boat fishing means the use of power boats in conduct of fishing as a major activity on those Idaho waters open to commercial outfitting activities as set forth in Section 059. (4-1-92)
- f. Walk and wade fishing means fishing conducted along or in a river, stream, lake or reservoir, and may include the use of personalized flotation equipment, but does not include the use of watercraft. (4-1-92)

17. Float Boats. Watercraft (inflatable watercraft, dories, drift boats, canoes, catarafts, kayaks, sport yaks, or other small watercraft) propelled by, and moving with the stream flow, maneuvered by oars, paddles, sweeps, pike poles or by motors for downstream steerage only. Downstream steerage does not include holding or upstream travel of a watercraft with a motor. Excluded as float boats are personal flotation devices, innertubes, air mattresses, or similar devices. (4-1-92)

18. Guide. An individual who meets the criteria as set forth in Idaho Code 36-2102(c), and has further met the required qualifications as prescribed in the Rules to provide professional guided services to clientele in the pursuit and conduct of licensed activities. (4-1-92)

19. Guide License. A license issued by the Board to an individual who is employed by a licensed outfitter to furnish personal services for the conduct of outdoor recreational activities as defined in Idaho Code 36-2102(c). (4-1-92)

20. Hazardous Excursions. Outfitted or guided activities conducted outside municipal limits in a desert or mountainous environment that may constitute a potential danger to the health, safety, or welfare of participants involved. These activities shall include, but are not limited to: day or overnight trailrides, backpacking, technical mountaineering/rock climbing, cross-country skiing, backcountry alpine skiing, llama and goat packing, snowmobiling, survival courses, guiding courses, fishing courses, motored and non-motored cycling, wagon rides, sleigh rides, and dog sled rides. (3-29-10)

~~21. He/His/Him.~~ Shall mean either the male or female gender. (4-1-92)

221. Hunting. The pursuit of any game animal or bird and all related activities including packing of client camp equipment, supplies, game meat and clients to and from a hunting camp. (3-30-01)

~~232. Incidental Activity.~~ Shall be and is the same as a minor activity. (4-1-92)

243. Minor Amendment. All outfitter license amendment requests that can be processed by the Board without requiring outside research or recommendation of a land managing agency or other agency before the Board takes final action on said amendment request. (4-11-06)

254. Investigator. An individual employed by the Board to monitor compliance with the provisions of the Outfitters and Guides Act (Idaho Code, Title 36, Chapter 21) and Rules promulgated thereunder and issue warning tickets for violations thereof. An investigator shall not have arrest powers nor any other power of a peace officer. (4-1-92)

265. Major Activity. A licensed activity, the nature of which requires a significant commitment of time and effort by an outfitter in its execution and is intended to provide a significant amount of income to an outfitter. (4-1-92)

276. Major Amendment. All outfitter license amendment requests requiring Board research or recommendation of a land management agency or other agency before the Board takes final action on the amendment request. (4-1-92)

287. Minor Activity. A licensed activity the nature of which must be carried out in conjunction with a major activity, but is not the primary purpose of the excursion. (3-15-02)

298. Mountainous. A region receiving limited to abundant annual precipitation with an associated vegetative cover of grass, weeds, shrubs, or trees. Cool summer temperatures and cold winter temperatures prevail. A mountainous area is a land surface ranging from level to gently rolling low hills to elevated lands that are often broken with poor to well-developed, deeply entrenched drainage systems, rims, cliffs, and escarpments to steep-sided land masses of impressive size and height. (4-1-92)

3029. New Opportunity. A proposed commercial outfitted activity to be conducted in an area where no similar commercial outfitted activity has been conducted in the past. (4-1-92)

340. Nonresident. An individual, corporation, firm, or partnership who is not a resident of the state of Idaho. (See "Resident"). (4-1-92)

321. Operating Area. The area assigned by the Board to an outfitter for the conduct of outfitting activities. (4-1-92)

332. Operating Plan. A detailed schedule or plan of operation which an outfitter proposes to follow in the utilization of licensed privileges, areas, or activities. (See Subsection 018.03). (4-1-92)

33. Outfitted Tag Use. The following definitions of outfitted tag use apply for purposes of the designation of allocated tags in capped zones and controlled hunts as set forth in Section 057 of these rules. Outfitted tag use for a capped zone is the number of tags used by clients of an outfitter for the species for the type of allocated tags being designated. Outfitted tag use for a controlled hunt zone, unit, or game management area is the number tags used by clients of an outfitter in the hunt that has a species, season structure, and other conditions most closely matching the controlled hunt for which allocated tags are being designated. Until such time as the Idaho Department of Fish and Game is able to collect and verify outfitted tag use as provided in Section 36-408(4) Idaho Code, outfitted tag use shall be based on an outfitter's use reports, or the best data available, and shall be subject to verification by documentation or other reliable information acceptable to the Board. (5-22-19)T

34. Outfitter. An individual, corporation, firm, partnership, or other organization or combination thereof that meets the criteria as set forth in Idaho Code 36-2102(b), and has further met the required qualifications as prescribed in the Rules to conduct an outfitting business in Idaho. (4-1-92)

35. Outfitter License. A license issued by the Board to an individual, partnership, corporation, or other duly constituted organization to conduct activities as defined in Section 36-2102(b), Idaho Code. The conduct of an outfitted operation on any land(s) is not authorized unless signed permission, a permit, or a lease is obtained from the land owner(s), or their agent(s), and filed with the Board. (3-15-02)

36. Out-of-Pocket Costs. The direct costs attributable to a recreational activity. Such direct costs shall not include: (4-1-92)

a. Compensation for either sponsors or participants; (4-1-92)

- b. Amortization or depreciation of debt or equipment; or (4-1-92)
- c. Costs of non-expendable supplies. (4-1-92)
- 37. Power Boats.** All motorized watercraft used on Idaho waters open to commercial outfitting activities as set forth in Subsections 059.01, 059.02 and 059.03 of these rules. Excluded as power boats are hovercraft, jetskis or similar devices, and float boats using motors for downstream steering. (4-1-92)
- 38. Relinquishment of License Privileges.** The failure to re-apply at the expiration of a license; the loss through nonuse, inactivity, revocation, or voluntary surrender of a license; or other loss of license. ~~(See Subsection 030.03).~~ (3-23-98)(4-26-19)T
- 39. Resident.** An individual, corporation, firm, or partnership who has resided in the state of Idaho for a period of six (6) months next preceding the time of application for license. (4-1-92)
- ~~40. Rules. The Rules of the Board. (4-1-92)~~
- ~~41. Stay of Board Action. An order, pursuant to Idaho Code 67-5215(c), stopping or delaying the enforcement of a Board decision, order or action. (4-1-92)~~
- 42. Third Party Agreement.** The allowing of the conduct of an outfitted or guided activity by the outfitter licensed to conduct those activities by any persons not directly employed by said outfitter. (See Section 023). (4-1-92)
- ~~43.1. Trainee.~~ A person not less than sixteen (16) years of age who does not possess the necessary experience or skill qualifications required to obtain a guide license, but who is working toward obtaining the necessary experience or skill qualifications. This required training shall be recorded on a form provided by the Board. A trainee may not provide any direct guiding services for clients, but may assist while under direct supervision. (5-1-95)
- 44.2. Boat Trainee Under Supervision.** A boat trainee must be in a boat operated by a licensed boatman, or one in which the operation is closely monitored by a licensed boatman. The licensed boatman need not be in the same boat during training as long as the trainee's activity is closely monitored. (3-10-03)
- 45.3. Unethical/Unprofessional Conduct.** Any activity(ies) by an outfitter or guide which is inappropriate to the conduct of the outfitting or guiding profession. These activities include, but are not limited to: (3-30-01)
- a. An outfitter employing an unlicensed guide; (3-30-01)
- b. Providing false, fraudulent or misleading information to the Board; (3-30-01)
- c. Failure to obey an order of the Board; (3-30-01)
- d. Failure to provide services as advertised or contracted; (3-30-01)
- e. Harassment of the public in their use of Idaho's outdoor recreational opportunities; (3-30-01)
- f. Violation of state or federal fish and game laws; (3-30-01)
- g. Engaging in unlicensed activities or conducting outfitter/guide services outside the operating area for which the licensee is licensed; (3-30-01)
- h. Disregard for the conservation, maintenance or enhancement of fish, game, land and water resources; (3-30-01)

- i. Failure to pay a supplier of goods or services to the outfitter business; (3-15-02)
- j. Failure to pay state taxes; or (3-15-02)
- k. Operating in a manner which endangers the health, safety, or welfare of the public. (3-30-01)
- l. Selling lifetime excursions, lifetime hunts, or selling of outfitted activities to an individual for the life of that individual and collecting fees accordingly. (4-11-06)

~~46. Validated Training Form. An approved form bearing the "Great Seal of the State of Idaho" and the official stamp of the Board affixed thereon. (4-1-92)~~

~~47. Watercraft. A boat or vessel propelled mechanically or manually, capable of operating on inland water surfaces. Excluded as watercraft are hovercraft, jetskis, personal flotation devices (PFD's), or similar devices. (4-1-92)~~

(BREAK IN CONTINUITY OF SECTIONS)

017. REVIEW OF OUTFITTER APPLICATIONS.

~~An outfitter application requesting activities and operating areas identical to a license held the previous year will be reviewed thirty (30) days from the date all materials required for a complete application are received. An application requesting activities or areas in addition to those licensed the preceding license year, or an initial application, will be reviewed ninety (90) days from the date all materials are received. (3-10-03)(4-26-19)T~~

(BREAK IN CONTINUITY OF SECTIONS)

027. OUTFITTER LICENSE TENURE.

Tenure in any outfitter's operating area ceases with the expiration of his outfitter license at the end of the license period. Priority in the operating area may be maintained by submitting a complete application for a license for the ensuing license period before the expiration date of the current license. ~~If a completed application is not received by the Board within ninety (90) days following the end of the license period, the license is relinquished. (3-15-02)(4-26-19)T~~

(BREAK IN CONTINUITY OF SECTIONS)

033. Guide Qualifications. (RESERVED)

~~A guide license applicant shall meet all general requirements and criteria of the Act and rules, any specific requirements unique to his specialized field as identified below, and any other requirements which may be imposed by the Board or which may appear on the application form. (3-1-86)~~

(BREAK IN CONTINUITY OF SECTIONS)

057. DESIGNATION OF ALLOCATED DEER AND ELK TAGS.

~~For capped zones and controlled hunts for which the Idaho Fish and Game Commission adjusted the number of allocated deer or elk tags allocated among the authorized operating areas within each game management area, unit or zone will be determined by the Board pursuant to Sections 36-408(3) and 36-408(4), Idaho Code, and Department of Fish and Games rules, IDAPA 13-01.04, "Rules Governing Licensing" Sections 500, 505, and 506, based on historical use and a tag allocation factor shall be noted on the license of each outfitter so affected in March 2019, the Board will designate the allocated tags among the eligible outfitter operations as prescribed by Section 36-2107(j).~~

Idaho Code, and when necessary, based on an outfitter's proportional use within the capped zone or controlled hunt zone, unit, or game management area as set forth in this section. For purposes of this section, an eligible outfitter operation is an outfitter whose licensed activities include hunting the species for the type of allocated tag in the affected capped zone or controlled hunt zone, unit, or game management area. ~~(3-23-98)~~(5-22-19)T

01. Calculation and Designation of Allocated Tags. Pursuant to Section 36-2107(j), Idaho Code and as set forth below, an outfitter's number of designated tags will be the outfitter's base allocation number plus a proportional share of any surplus allocated tags based on outfitted tag use as set forth below, or when there is an insufficient number of allocated tags to satisfy each outfitter's base allocation, the outfitter's proportional use. The result is the number of allocated tags designated for the outfitter operation. The Board will notify outfitters of the number of designated allocated tags and the underlying basis for the designation. The designation applies until the next big game season setting by the Idaho Fish and Game Commission. (4-26-19)T

a. An outfitter's base allocation number is: (4-26-19)T

i. For a capped zone, the average of the last two (2) years of an outfitter's outfitted tag use. (4-26-19)T

ii. For a controlled hunt, the highest year within the last two (2) years of an outfitter's outfitted tag use. (4-26-19)T

b. An outfitter's proportional use is calculated by dividing an individual outfitter's base allocation by the total of the base allocations of all outfitters in the capped zone or controlled hunt zone, unit, or game management area, and then multiplying by the total number of allocated tags for the capped zone or controlled hunt. (4-26-19)T

c. When a calculation results in a partial tag, the calculation will be rounded up when a decimal equals or exceeds zero point six (0.6) and rounded down when a decimal is less than zero point six (0.6). (4-26-19)T

d. When there are remaining allocated tags after the Board has designated tags pursuant to Paragraphs a and b of this rule, the Board will designate remaining allocated tags based on the following priorities and in the following order: (4-26-19)T

i. All eligible outfitters whose base allocation number is zero (0) and who want to be designated allocated tags are designated at least one (1) allocated tag; (4-26-19)T

ii. Eligible outfitters with the fewest number of designated allocated tags have an equal number of designated allocated tags when possible; (4-26-19)T

iii. Based on a random drawing between the eligible outfitters with the fewest number of designated allocated tags provided that an outfitter is not designated more allocated tags than another outfitter that has a greater base allocation number; (4-26-19)T

iv. Based on the greater base allocation number between the eligible outfitters with the fewest number of designated allocated tags. (4-26-19)T

e. When there is a deficit of allocated tags to satisfy each outfitter's proportional use, the Board will identify the group of outfitters whose base allocation number was rounded up, and the deficit will be resolved against the outfitter whose base allocation number prior to rounding is closest to zero point six (0.6). In the event there are two outfitters with the same unrounded base allocation number closest to zero point six (0.6), the deficit will be resolved against one of those outfitters based on a random drawing. (4-29-19)T

02. Stipulation by Outfitters. Outfitters in a capped zone or for a controlled hunt may submit to the Board a written stipulation determining the number of allocated tags designated for each outfitter within the capped zone or for the controlled hunt. The stipulation must be signed by all eligible outfitters for the capped zone or controlled hunt. If the Board accepts the stipulation, the stipulation will be effective until the Idaho Fish and Game Commission sets the next big game season. (4-26-19)T

a. On or before November 1, any outfitter may petition the Board to withdraw from the stipulation for good cause. If the Board grants the withdrawal, then the Board will calculate and designate the allocated tags among the outfitters in that capped zone or controlled hunt according to Subsection 057.01 of this rule. (4-26-19)T

b. A stipulation only applies to the designation of allocated tags by the Board. (4-26-19)T

03. Objection to Calculation. An outfitter that believes the calculation is incorrect may object by filing a petition in accordance with the Idaho administrative procedures act with the Board along with any supporting information or documentation. (4-26-19)T

a. The Board will notify all other eligible outfitters in the capped zone or for the controlled hunt of the petition. (4-26-19)T

b. The outfitter bears the burden of establishing that the calculation was incorrect. (4-26-19)T

04. Hardship Request. An outfitter may submit to the Board a written request to maintain a previous base allocation number when the outfitter can demonstrate hardship, including health, act of nature, state or federal restrictions on hunting or access or other good cause that prohibited or limited the outfitter's ability to seek and accommodate clients and impacted the outfitter's use of designated allocated tags. The outfitter must provide any information requested by the board to assist in substantiating hardship cases. The hardship request must also be approved by the Idaho Department of Fish and Game to retain the outfitted hunter tag use history in the respective hunt. (4-26-19)T

05. Change in Operating Area or Owner of Business. When an outfitting business is sold or when an operating area is adjusted and designated allocated tags are associated with the affected operating area, the Board will transfer the associated designated allocated tags to the new owner. (4-26-19)T

(BREAK IN CONTINUITY OF SECTIONS)

065. GUIDE LICENSE AMENDMENTS.

~~**01. Procedure for Amendment to Outfitter License.** An outfitter must procure an amendment to their license through the following procedure: (4-5-00)~~

~~**a.** The applicant requests an Amendment Request Form (OG9) from the Board. (4-5-00)~~

~~**b.** The applicant fills out and returns the completed Amendment Request Form to the Board along with an amended operating plan, financial statement, map (if applicable), land manager statement sheets (if applicable), and the amendment fee as provided for in Section 015. (4-5-00)~~

~~**c.** The Board initiates a review and analysis of the application following which the applicant is informed that: (4-5-00)~~

~~**i.** Additional materials are needed to complete the application; or (4-5-00)~~

~~**ii.** The amendment request is granted; or (4-5-00)~~

~~**iii.** The amendment request is denied. (4-5-00)~~

~~**02. Procedure for Amendment to Guide License.** A guide must procure an amendment to their license through the following procedure: by submitting to the Board an amendment fee and a complete application that includes certification from the outfitter that training requirements for the area and activity to be added have been met and proof of such training will be available at the Board's request. (4-5-00)(4-26-19)T~~

~~**a.** The guide or the outfitter must initiate the amendment request by contacting the Board. (4-5-00)~~

- ~~b. The outfitter for which all amendment requests are made must submit: (5-8-09)~~
- ~~i. A properly completed amendment form that provides certification that training requirements for the area and activity to be added have been met and proof of such training will be available at the Board's request. (5-8-09)~~
- ~~ii. The amendment fee as provided for in Section 015. (5-8-09)~~
- ~~e. The Board initiates a review and analysis of the application following which the applicant is informed that: (4-5-00)~~
- ~~i. Additional materials are needed to complete the application; or (4-5-00)~~
- ~~ii. The amendment request is granted; or (4-5-00)~~
- ~~iii. The amendment request is denied. (4-5-00)~~

IDAPA 27 – BOARD OF PHARMACY

27.01.01 – GENERAL PROVISIONS

DOCKET NO. 27-0101-1901

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 54-1717.

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

PUBLIC MEETING
Thursday, June 13, 2019 - 9:00 a.m. (MDT)

**Board of Pharmacy
1199 Shoreline Lane, Suite 303
Boise, ID 83702**

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:

Written comments received by June 11, 2019 will be included in the Board’s distributed meeting materials for consideration. Written comments received after June 11, 2019 will be printed and distributed to Board members at the meeting. For those planning to attend the open, public meeting, written and verbal comments will be accepted by and/or presented before the Board.

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:

These rule changes are needed to conform to recent statutory changes and to clarify and simplify the Board’s existing rules. These proposed rule changes were prompted by the Red Tape Reduction Act and the Board’s continued efforts to clarify and streamline its rules.

These proposed amendments would consolidate the Board’s six rules chapters (IDAPA 27.01.01, .02, .03, .04, .05, and .06) into a single chapter (new IDAPA 27.01.01 – Rules of the Idaho State Board of Pharmacy) in order to make the Board’s rules more streamlined and user friendly. Consolidating the Board’s rules into a single chapter would also remove unnecessary preliminary and introductory language, thereby reducing the length of the Board’s rules. These proposed rule changes are also intended to make the Board’s rules consistent with recent statutory changes, clarify and simplify existing language, and reduce or eliminate unnecessary restrictions.

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 Nicole Chopski, Executive Director, at (208) 334-2356. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the Board of Pharmacy’s web site at the following web address: <https://bop.idaho.gov/index.html>.

Anyone may submit written comments regarding this negotiated rulemaking. All written comments must be directed to the undersigned and must be delivered as described above.

Dated this 29th day of April, 2019.

Nicole Chopski
Executive Director
Board of Pharmacy
1199 W. Shoreline Ln., Ste. 303
P. O. Box 83720
Boise, ID 83720-0067
Phone: (208) 334-2356
Fax: (208) 334-3536

IDAPA 35 – STATE TAX COMMISSION

35.01.01 – INCOME TAX ADMINISTRATIVE RULES

DOCKET NO. 35-0101-1902

NOTICE OF INTENT TO PROMULGATE RULES – NEGOTIATED RULEMAKING

AUTHORITY: In compliance with Sections 67-5220(1) and 67-5220(2), Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Sections 63-105 and 63-3039, 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:

Attend the negotiated rulemaking meeting(s), in person or through teleconference, and participate in the negotiation process. Written comments can be submitted 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 645 - The changes to this rule tells taxpayers how to report repatriated dividend income received from foreign entities on the Idaho return.

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 Cynthia Adrian, (208) 334-7670. 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

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 27, 2019.

Dated this 5th day of June, 2019.

Cynthia Adrian, Income Tax Policy Specialist
State Tax Commission
800 Park Blvd., Plaza IV
P.O. Box 36
Boise, ID 83722-0410
Phone: (208) 334-7670
Fax: (208) 334-7690
cynthia.adrian@tax.idaho.gov

IDAPA 35 – STATE TAX COMMISSION

35.01.02 – IDAHO SALES AND USE TAX ADMINISTRATIVE RULES

DOCKET NO. 35-0102-1901

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 63-105(2), 63-3624(a), 63-3610 – 63-3611, 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:

Attend the negotiated rulemaking meeting(s), in person or through teleconference, and participate in the negotiation process. Written comments can be submitted 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 018 - This rule is being updated to reflect changes made by House Bill (HB) 259a effective June 1, 2019, that creates a requirement for retailers without a physical presence in Idaho to collect and remit Idaho sales tax on sales delivered into Idaho if in the current or previous calendar year those sales exceed \$100,000.

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

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 27, 2019.

Dated this 5th day of June, 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

IDAPA 35 – STATE TAX COMMISSION

35.01.02 – IDAHO SALES AND USE TAX ADMINISTRATIVE RULES

DOCKET NO. 35-0102-1902

NOTICE OF INTENT TO PROMULGATE RULES – NEGOTIATED RULEMAKING

AUTHORITY: In compliance with Sections 67-5220(1) and 67-5220(2), Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Sections 63-105(2), 63-3624(a), 67-4917C, 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:

Attend the negotiated rulemaking meeting(s), in person or through teleconference, and participate in the negotiation process. Written comments can be submitted 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 028 - 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 112 - 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

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 27, 2019.

Dated this 5th day of June, 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

IDAPA 35 – STATE TAX COMMISSION

35.01.02 – IDAHO SALES AND USE TAX ADMINISTRATIVE RULES

DOCKET NO. 35-0102-1903

NOTICE OF INTENT TO PROMULGATE RULES – NEGOTIATED RULEMAKING

AUTHORITY: In compliance with Sections 67-5220(1) and 67-5220(2), Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Sections 63-105(2), 63-3624(a), 63-3622OO, 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:

Attend the negotiated rulemaking meeting(s), in person or through teleconference, and participate in the negotiation process. Written comments can be submitted 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 043 - This rule is being updated to reflect changes made by House Bill (HB) 86 effective July 1, 2019, that provides exemption for a dealer's labor or service charges for adding accessories to specific types of vehicles.

Rule 046 - This rule is being updated to reflect changes made by House Bill (HB) 86 effective July 1, 2019, that provides exemption for a dealer's labor or service charges for adding accessories to specific types of vehicles.

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

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 27, 2019.

Dated this 5th day of June, 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
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leah.parsons@tax.idaho.gov

IDAPA 35 – STATE TAX COMMISSION

35.01.02 – IDAHO SALES AND USE TAX ADMINISTRATIVE RULES

DOCKET NO. 35-0102-1904

NOTICE OF INTENT TO PROMULGATE RULES – NEGOTIATED RULEMAKING

AUTHORITY: In compliance with Sections 67-5220(1) and 67-5220(2), Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Sections 63-105(2), 63-3624(a), 63-3623, 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:

Attend the negotiated rulemaking meeting(s), in person or through teleconference, and participate in the negotiation process. Written comments can be submitted 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 105 - This rule is being updated to remove the requirement for a federal taxpayer identification number to be on a return for it to be valid.

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

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 27, 2019.

Dated this 5th day of June, 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

IDAPA 35 – STATE TAX COMMISSION

35.01.02 – IDAHO SALES AND USE TAX ADMINISTRATIVE RULES

DOCKET NO. 35-0102-1905

NOTICE OF INTENT TO PROMULGATE RULES – NEGOTIATED RULEMAKING

AUTHORITY: In compliance with Sections 67-5220(1) and 67-5220(2), Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Sections 63-105(2), 63-3624(a), 63-3622, 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:

Attend the negotiated rulemaking meeting(s), in person or through teleconference, and participate in the negotiation process. Written comments can be submitted 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 107 - This rule lists exemption claim forms and provides a brief description about their use – Updating to reflect form change.

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.

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 27, 2019.

Dated this 5th day of June, 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

IDAPA 35 – STATE TAX COMMISSION

35.01.02 – IDAHO SALES AND USE TAX ADMINISTRATIVE RULES

DOCKET NO. 35-0102-1906

NOTICE OF INTENT TO PROMULGATE RULES – NEGOTIATED RULEMAKING

AUTHORITY: In compliance with Sections 67-5220(1) and 67-5220(2), Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Sections 63-105(2), 63-3624(a), 63-3622, 63-3629, 63-3045, 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:

Attend the negotiated rulemaking meeting(s), in person or through teleconference, and participate in the negotiation process. Written comments can be submitted 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 121 - This rule is being updated to correct the mailing requirement for a notice of deficiency.

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.

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 27, 2019.

Dated this 5th day of June, 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
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leah.parsons@tax.idaho.gov

IDAPA 35 – STATE TAX COMMISSION

35.01.03 – PROPERTY TAX ADMINISTRATIVE RULES

DOCKET NO. 35-0103-1901

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 Sections 67-5221(1) and 63-105A, 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:

Attend the negotiated rulemaking meeting(s), in person or through teleconference, and participate in the negotiation process. Written comments can be submitted 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 006 - The rule is being amended to incorporate updates of national publications referenced in rule for standards on ratio studies, appraisal procedures, and to eliminate the reference to the “Official Railway Equipment Register.”

Rule 411 - The rule is to be amended by eliminating reference to the “Official Railway Equipment Register” and clarifying procedures.

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 Alan Dornfest, (208) 334-7742. 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

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 27, 2019.

Dated this 5th day of June, 2019.

Alan Dornfest, Property Tax Policy Bureau Chief
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IDAPA 35 – STATE TAX COMMISSION

35.01.03 – PROPERTY TAX ADMINISTRATIVE RULES

DOCKET NO. 35-0103-1902

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 67-5221(1) and 63-105A, 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:

Attend the negotiated rulemaking meeting(s), in person or through teleconference, and participate in the negotiation process. Written comments can be submitted 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 130 - This rule is to be amended to provide for standards for agricultural assessments, itemize the categories assigned to agricultural land primary categories, and the processes to study compliance with statutory requirements to achieve market value for assessment purposes.

Rule 131 - This rule is to be amended to provide for standards for agricultural assessments and the processes to study compliance with statutory requirements to achieve market value for assessment purposes.

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 Alan Dornfest, (208) 334-7742. 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

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 27, 2019.

Dated this 5th day of June, 2019.

Alan Dornfest, Property Tax Policy Bureau Chief
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Alan.Dornfest@tax.idaho.gov

IDAPA 35 – STATE TAX COMMISSION

35.01.03 – PROPERTY TAX ADMINISTRATIVE RULES

DOCKET NO. 35-0103-1903

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 67-5221(1) and 63-105A, 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:

Attend the negotiated rulemaking meeting(s), in person or through teleconference, and participate in the negotiation process. Written comments can be submitted 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 225 - Section 63-215, Idaho Code, was amended reducing the number of days the Tax Commission has to notify taxing districts of errors in the boundary maps submitted for review from 30 to 28 days. The rule requires amending to be consistent with this change.

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 Alan Dornfest, (208) 334-7742. 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

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 27, 2019.

Dated this 5th day of June, 2019.

Alan Dornfest, Property Tax Policy Bureau Chief
State Tax Commission
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IDAPA 35 – STATE TAX COMMISSION

35.01.03 – PROPERTY TAX ADMINISTRATIVE RULES

DOCKET NO. 35-0103-1904

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 63-105A, 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:

Attend the negotiated rulemaking meeting(s), in person or through teleconference, and participate in the negotiation process. Written comments can be submitted 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:

Rules 317 - Amendments are needed to codify current practice regarding allocation of occupancy tax and part year property tax payments to urban renewal agencies and to eliminate guidance that is administratively infeasible.

Rule 804 - Amendments are needed to codify current practice regarding allocation of occupancy tax and part year property tax payments to urban renewal agencies and to eliminate guidance that is administratively infeasible.

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 Alan Dornfest, (208) 334-7742. 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

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 27, 2019.

Dated this 5th day of June, 2019.

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IDAPA 35 – STATE TAX COMMISSION

35.01.03 – PROPERTY TAX ADMINISTRATIVE RULES

DOCKET NO. 35-0103-1905

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 67-5221(1) and 63-105A, 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:

Attend the negotiated rulemaking meeting(s), in person or through teleconference, and participate in the negotiation process. Written comments can be submitted 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:

Rules 613 and 614 - Current law requires the assessor to utilize an income approach to value when assessing agricultural land. The calculations can be difficult and require additional examples to ensure equitable application when county assessors administer existing statute. A citizen petitioner requested we amend these companion rules to ensure fair and equitable assessments for farmers.

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 Alan Dornfest, (208) 334-7742. 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

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 27, 2019.

Dated this 5th day of June, 2019.

Alan Dornfest, Property Tax Policy Bureau Chief
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IDAPA 35 – STATE TAX COMMISSION

35.01.03 – PROPERTY TAX ADMINISTRATIVE RULES

DOCKET NO. 35-0103-1906

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 67-5221(1) and 63-105A, 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:

Attend the negotiated rulemaking meeting(s), in person or through teleconference, and participate in the negotiation process. Written comments can be submitted 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 717 - The existing rule is in conflict with the new law which provides that property tax reduction benefits can be applied for outside the previous time frame. The existing rule restricts reimbursement to counties for all circuit breaker benefits to what is reported in October. That deadline cannot be met given the new part of the program that applies to occupancy tax. The rule needs to be changed to permit certification of late reimbursement as provided by the new statute.

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 Alan Dornfest, (208) 334-7742. 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

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 27, 2019.

Dated this 5th day of June, 2019.

Alan Dornfest, Property Tax Policy Bureau Chief
State Tax Commission
800 Park Blvd., Plaza IV
P.O. Box 36
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IDAPA 35 – STATE TAX COMMISSION
35.01.03 – PROPERTY TAX ADMINISTRATIVE RULES
DOCKET NO. 35-0103-1907
NOTICE OF RULEMAKING – ADOPTION OF TEMPORARY RULE

EFFECTIVE DATE: The effective date of the temporary rule is January 1, 2019.

AUTHORITY: In compliance with Sections 67-5226, Idaho Code, notice is hereby given this agency has adopted a temporary rule. The action is authorized pursuant to Sections 67-5221(1) and 63-105A, Idaho Code.

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

RULE 717 - Amends existing rule to provide for Property Tax Reduction and 100% Service-connected Disabled Veterans Property tax benefits to parcels paying occupancy tax throughout the calendar year.

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

Due to the emergency clause in House Bill (HB) 62

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

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

Dated this 5th day of June, 2019.

Alan Dornfest, Property Tax Policy Bureau Chief
State Tax Commission
800 Park Blvd., Plaza IV
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Alan.Dornfest@tax.idaho.gov

THE FOLLOWING IS THE TEXT OF THE TEMPORARY RULE FOR DOCKET NO. 35-0103-1907
(Only Those Sections With Amendments Are Shown.)

717. PROCEDURE AFTER CLAIM APPROVAL (RULE 717).

Sections 63-115, 63-317, and 63-707, Idaho Code

01. **Formatting Requirements.** The property tax reduction roll ~~shall~~ and supplemental occupancy tax reduction roll will be formatted as required by Section 63-707, Idaho Code. ~~(3-30-07)~~(1-1-19)T

02. **Preliminary Property Tax Reduction Roll.** Except as provided in Subsections 717.06 and 717.07 of this rule, ~~the~~ roll, certified by the assessor to the county auditor and the State Tax Commission by June 1st of each year, ~~shall will~~ be termed the preliminary property tax reduction roll. The preliminary property tax reduction and occupancy tax reduction roll ~~shall will~~ list property tax reduction claimants in alphabetical order unless the State Tax Commission grants permission for claimants to be listed in an alternate order. Each original claim form ~~shall will~~ be submitted to the State Tax Commission in the same order as shown on the preliminary property tax reduction roll. ~~(3-29-12)~~(1-1-19)T

03. **Final Property Tax Reduction Roll.** Except as provided in Subsections 717.06 and 717.08 of this rule, ~~the~~ completed property tax reduction roll, certified by each county clerk to the State Tax Commission by the fourth (4th) Monday in October, ~~shall will~~ be termed the final property tax reduction roll. The final property tax reduction roll ~~shall will~~ list property tax reduction claimants and occupancy tax reduction claimants who applied by September 1, in the same order as shown on the preliminary property tax reduction roll, ~~except that all fully disapproved claimants shall be deleted and not shown on the final property tax reduction roll.~~ Erroneous claims which are partially or fully disapproved by the State Tax Commission ~~shall will~~ be shown on the final property tax reduction roll after the county clerk has made all adjustments or corrections listed on the notice sent to the county auditor pursuant to Section 63-707(6), Idaho Code, termed county change letter. ~~(3-30-07)~~(1-1-19)T

04. **Certification of Electronic Property Tax Reduction Roll by County Assessor.** The county assessor will certify the property tax reduction roll to the county auditor and send a copy to the State Tax Commission by June 1st of each year. In addition, each county assessor will also send a copy of ~~this certified~~ all claims listed on the roll to the State Tax Commission. Claims are to be sent in a password protected electronic data file formatted as directed or approved by the State Tax Commission. ~~Each county assessor will contact the State Tax Commission to receive a password.~~ This password protected electronic roll will contain the following information: ~~(3-29-12)~~(1-1-19)T

- a. Claimant's Social Security Number. ~~List the claimant's social security number.~~ ~~(3-30-07)~~(1-1-19)T
- b. Claimant's Date of Birth. ~~List the claimant's date of birth.~~ ~~(3-30-07)~~(1-1-19)T
- c. Claimant's Last Name. ~~List the claimant's last name.~~ ~~(3-30-07)~~(1-1-19)T
- d. Claimant's First Name. ~~List the claimant's first name.~~ ~~(3-30-07)~~(1-1-19)T
- e. Claimant's Spouse's Social Security Number. ~~List the social security number for the spouse of the claimant.~~ ~~(3-30-07)~~(1-1-19)T
- f. Claimant's Spouse's Date of Birth. ~~List the date of birth for the spouse of the claimant.~~ ~~(3-30-07)~~(1-1-19)T
- g. Claimant's Spouse's Last Name. ~~List the last name for the spouse of the claimant.~~ ~~(3-30-07)~~(1-1-19)T
- h. Claimant's Spouse's First Name. ~~List the first name for the spouse of the claimant.~~ ~~(3-30-07)~~(1-1-19)T
- i. Claimant's Telephone Number. ~~List the claimant's telephone number.~~ ~~(3-30-07)~~(1-1-19)T
- j. Claimant's Address. ~~List the claimant's address.~~ ~~(3-30-07)~~(1-1-19)T

- k. Claimant's City. ~~List the city where the claimant lives.~~ (3-30-07)(1-1-19)T
- l. Claimant's State. List the postal abbreviation for the state ~~where the claimant lives.~~ (3-30-07)(1-1-19)T
- m. Claimant's Zip Code. ~~List the claimant's zip code.~~ (3-30-07)(1-1-19)T
- n. Claimant's Parcel Number(s). List the parcel number for the property on which the claimant is receiving the homeowner's exemption. When more than one (1) parcel owned by the claimant is eligible, list all eligible parcel numbers. (3-30-07)
- o. Current Year. ~~List the current year.~~ (3-30-07)(1-1-19)T
- p. Claimant's County Number. ~~List the number of the county where the claimant lives.~~ (3-30-07)(1-1-19)T
- ~~q. Term of Direct Address. List the appropriate term of direct address; that is, "Mr.," "Ms.," or "Mr. & Mrs."~~ (3-30-07)
- ~~r. Income Data. List income data.~~ (3-30-07)(1-1-19)T
- ~~s. Identify New Applicants. Identify claimants who are applying for did not receive this benefit for the first time in the previous year.~~ (3-30-07)(1-1-19)T
- ~~t. Value. List the best estimate for each secondary category of current market value and prorated net taxable value.~~ (3-30-07)
- ~~u. Maximum Benefit. The program will automatically show the maximum benefit for which the claimant is eligible based on income.~~ (3-30-07)(1-1-19)T
- ~~v. Qualifying Criteria Eligibility Status. Identify all of the following status criteria that the claimant meets.~~ (3-30-07)(1-1-19)T
- i. Sixty-five (65) years old or older. (4-2-08)
- ii. Blind. (3-30-07)
- iii. Disability granted by the Social Security Administration, Railroad Retirement Board, or federal civil service. (3-30-07)
- iv. Orphan, under eighteen (18) years of age. (3-30-07)
- v. Prisoner of war or hostage, certified by Veteran's Affairs. (3-30-07)
- vi. Non-service connected disability or service connected disability at ten percent (10%) to thirty percent (30%), certified by Veteran's Affairs. (3-30-07)
- vii. Service connected disability at forty percent (40%) or more, certified by Veteran's Affairs. (3-30-07)
- viii. Widow or widower, include date of spouse's death. (3-30-07)
- ix. Whether the claimant is lawfully present in the United States. (4-2-08)
- x. 100% Service connected veteran, certified by Veterans Affairs. (1-1-19)T

ii. Occupancy tax reduction claimants. (1-1-19)T

05. Certification of Completed ~~Electronic~~ Property Tax Reduction Roll by County Auditor. ~~Except as provided in Section 63-317, Idaho Code, and Subsections 717.06, 717.07, and 717.08 of this rule, no~~ later than the fourth Monday in October, each county auditor will certify the property tax reduction roll to the State Tax Commission. ~~In addition, each county auditor will also send a copy of this certified roll to the State Tax Commission in a password protected electronic data file formatted as directed or approved by the State Tax Commission. Each county auditor will contact the State Tax Commission to receive a password. In addition to the data files listed in Paragraphs 717.01.a. through 717.01.v. of this rule, this password protected electronic~~ The roll will contain the preliminary roll information plus the additional occupancy tax reduction claims submitted between June 1 and September 1 as provided in Subsection 717.06 of this rule, and the following information formatted as directed or approved by the State Tax Commission. (3-30-07)(1-1-19)T

- a. Current Year's Levy. List the current year's levy for the tax code area where each claimant's property is located. (3-30-07)
- b. Current Year's Taxable Value. List the current year's taxable value for each claimant's qualifying property. (3-30-07)
- c. Claimed Property Tax Reduction or Occupancy Tax Reduction Amount. ~~List~~ For each claimant, list the amount of property tax or property tax reduction claimed based on the current year's levy and the current year's eligible taxable value. (3-30-07)(1-1-19)T

06. Occupancy Tax Reduction Claims. Claims submitted to the county assessor between January 1 and May 15 will be listed on the preliminary property tax reduction roll and submitted to the State Tax Commission by June 1. Claims submitted to the county assessor between June 1 and September 1 will be submitted to the State Tax Commission by the third Monday in September. These claims will be added to the final property tax reduction roll by the county change letter pursuant to Subsection 717.03 of this rule. Claims submitted to the county assessor after September 1 until the fourth Monday in January of the following year will be listed and submitted as follows in Subsections 717.07 and 717.08 of this rule. (1-1-19)T

07. Preliminary Supplemental Occupancy Tax Reduction Roll. This roll will be certified by the assessor to the county auditor and the State Tax Commission by the first Monday in March of the following tax year. Claims submitted to the county assessor after September 1 will be listed on the preliminary supplemental occupancy tax reduction roll in the manner outlined in Subsection 717.02 of this rule. Occupancy tax reduction claims will be subject to the procedures outlined in Section 63-707, Idaho Code. (1-1-19)T

08. Final Supplemental Occupancy Tax Reduction Roll. By the first Monday in April in the following year, the State Tax Commission will notify the county auditor of all adjustments or corrections. By the fourth Monday in April of that year, the county auditor will certify the final supplemental occupancy tax reduction roll which will list occupancy claimants in the same order as shown on the preliminary supplemental occupancy tax reduction roll after the county auditor makes corrections. Claims included on the final supplemental occupancy tax reduction roll shall be formatted as outlined in Subsection 717.05 of this rule. (1-1-19)T

IDAPA 35 – STATE TAX COMMISSION

35.01.05 – IDAHO MOTOR FUELS TAX ADMINISTRATIVE RULES

DOCKET NO. 35-0105-1901

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 Sections 63-105, 63-2427, 63-2401 and 63-2424, 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:

Attend the negotiated rulemaking meeting(s), in person or through teleconference, and participate in the negotiation process. Written comments can be submitted 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 principle issues involved:

Rule 110 – This rule will provide a conversion factor for Hydrogen to enable taxpayers to report and pay fuel tax on the special fuel.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING DRAFT COPIES: For assistance on technical questions concerning this negotiated rulemaking, contact Don Williams, (208) 334-7855. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the commission website at the following web address: www.tax.idaho.gov

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 26, 2019.

Dated this 5th day of June, 2019.

Don Williams, Product Tax Policy Specialist
State Tax Commission
P.O. Box 36
Boise, ID 83722-0410
Phone: (208) 334-7855
Fax: (208) 334-7690
Don.Williams@tax.idaho.gov

IDAPA 46 – BOARD OF VETERINARY MEDICINE

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

DOCKET NO. 46-0101-1901

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 54-2105(8)(m) and 67-5220(1), Idaho Code.

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

PUBLIC MEETING

Friday, June 21, 2019 - 11:30 a.m. (MDT)

**Idaho State Department of Agriculture Building
2270 Old Penitentiary Road
Conference Rooms Main A & B
Boise, ID 83712**

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:

All written comments received by June 12, 2019 will be included in the Board's distributed meeting materials for consideration. For those planning to attend the open, public meeting, written and verbal comments will be accepted by and/or presented before the Board. For all others not planning to attend the meeting, written comments will be accepted by the Executive Director on or before June 14, 2019.

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 conform to recent statutory changes and to clarify and simplify the Board's existing rules as prompted, in part, by the Red Tape Reduction Act (Executive Order 2019-02). The rulemaking would eliminate and simplify language and remove redundant language covered in statute, including references to licensing requirements and violations covered in statute. It would also remove specifically listed veterinary practice standards that are already established by the "standard of care" statement in the rules, and remove Committee on Humane Euthanasia (COHE) language on specific types of training because the committee no longer provides remote capture training. The rulemaking would modify the jurisprudence rule by eliminating time limit language and replacing with unlimited exams at cost to owner. It would tie in with a statute modification increasing the number of licensing periods by the Board from two to four per year, and modify the continuing education and audit rules to coincide with the renewal period, which is from May 1 to June 30. Lastly, the rulemaking would make the Board's rules consistent with 2019 HB248, which established the Occupational Licensing Reform Act and provisions regarding recognition of military training, expedited applications for military members and their spouses, and licensure by endorsement for military members and their spouses.

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 Jeremy Brown, Executive Director, at (208) 332-8588. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the Board's website at the following web address: <https://bovm.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 12, 2019 as described above.

Dated this 2nd day of May, 2019.

Jeremy Brown, Executive Director
Board of Veterinary Medicine
2230 Old Penitentiary Road
P. O. Box 7249
Boise, ID 83707
Phone: (208) 332-8588
Fax: (208) 332-8645
E-mail: jeremy.brown@agri.idaho.gov

IDAPA 46 – BOARD OF VETERINARY MEDICINE

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

DOCKET NO. 46-0101-1902 (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 Sections 54-2105, Idaho Code.

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

PUBLIC MEETING
Friday, June 21, 2019 - 11:30 a.m. (MDT)
Idaho State Department of Agriculture Building 2270 Old Penitentiary Road Conference Rooms Main A & B Boise, ID 83712

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:

All written comments received by June 12, 2019 will be included in the Board's distributed meeting materials for consideration. For those planning to attend the open, public meeting, written and verbal comments will be accepted by and/or presented before the Board. For all others not planning to attend the meeting, written comments will be accepted by the Executive Director on or before June 14, 2019.

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 negotiated rulemaking is needed to preserve a cash positive position in order to maintain the operational budget of the Board. The impetus for this rulemaking is the incremental increase of business expenses (legal fees, employee benefits, rent, risk insurance, etc.) The Board would propose fee increases of \$65 for veterinary license renewals, \$33 for veterinary original licenses, and \$10 for veterinary technician certification renewals. This negotiated rulemaking would eliminate veterinary license verification fees of \$20 and would also eliminate license fees and renewal fees for active or returning from active duty military personnel. The fee increases would go along with proposed statutory changes that would allow for endorsement nationwide as well as less restrictive licensing requirements.

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 Jeremy Brown, Executive Director, at (208) 332-8588. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the Board's website at the following web address: <https://bovm.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 12, 2019 as described above.

Dated this 2nd day of May, 2019.

Jeremy Brown, Executive Director
Board of Veterinary Medicine
2230 Old Penitentiary Road
P. O. Box 7249
Boise, ID 83707
Phone: (208) 332-8588
Fax: (208) 332-8645
Email: jeremy.brown@agri.idaho.gov

IDAPA 58 – DEPARTMENT OF ENVIRONMENTAL QUALITY

CURLEW VALLEY SUBBASIN ASSESSMENT AND TOTAL MAXIMUM DAILY LOAD (TMDL): 2019 (HUC 16020309)

DOCKET NO. 58-0000-1902

NOTICE OF FINAL DECISION

AUTHORITY: In compliance with Section 39-3611, Idaho Code, notice is hereby given that this agency has issued a final decision on the Curlew Valley Subbasin Assessment and Total Maximum Daily Load (TMDL): 2019.

DESCRIPTIVE SUMMARY: The Department of Environmental Quality (DEQ) hereby gives notice of the final decision on the Curlew Valley Subbasin Assessment and TMDL: 2019. The final decision may be appealed to the Board of Environmental Quality by initiating a contested case in accordance with Sections 39-107(5), 67-5240 et seq., Idaho Code, and IDAPA 58.01.23, “Rules of Administrative Procedure Before the Board of Environmental Quality.” The petition initiating a contested case must be filed with the undersigned hearing coordinator within thirty-five (35) days of the publication date of this notice in the Idaho Administrative Bulletin.

The area covered by the Curlew Valley Subbasin Assessment and TMDL: 2019 (Hydrologic Unit Code 16020309) establishes four (4) total suspended solids and three (3) E. coli TMDLs on a water quality impaired stream reach (assessment units). DEQ has submitted this TMDL to the U.S. Environmental Protection Agency for approval under the Clean Water Act.

AVAILABILITY OF THE TMDL: Electronic copy of the TMDL can be obtained at <http://www.deq.idaho.gov/media/60182247/curlew-valley-sba-tmdl.pdf> or by contacting Graham Freeman, TMDL Program Coordinator, 208-373-0461, graham.freeman@deq.idaho.gov

Dated this 5th day of June, 2019.

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

IDAPA 58 – DEPARTMENT OF ENVIRONMENTAL QUALITY

58.01.03 – INDIVIDUAL/SUBSURFACE SEWAGE DISPOSAL RULES

DOCKET NO. 58-0103-1901

NOTICE OF INTENT TO PROMULGATE RULES – 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 Chapters 1 and 36, 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/58-0103-1901.

ORIGINATING LOCATION – LIVE MEETING	
DEQ State Office Conference Center 1410 N. Hilton, Boise, Idaho	
Wednesday, July 10th, 2019 – 9:00 a.m. to 12:30 p.m. (MDT)	
TELEPHONE AND WEB CONFERENCE LOCATIONS	
DEQ Coeur d’Alene Regional Office 2110 Ironwood Parkway Coeur d’Alene, ID 83814	DEQ Lewiston Regional Office 1118 F Street Lewiston, ID 83501
DEQ Twin Falls Regional Office 650 Addison Avenue West, Suite 110 Twin Falls, ID 83301	DEQ Pocatello Regional Office 444 Hospital Way #300 Pocatello, ID 83201
DEQ Idaho Falls Regional Office 900 N. Skyline, Suite B Idaho Falls, ID 83402	
Contact the undersigned by July 1, 2019, to make arrangements for participation by telephone and web conferencing.	

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

PRELIMINARY DRAFT RULE: 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 amendments to the Individual/Subsurface Sewage Disposal Rules, IDAPA 58.01.03, to address alternative systems, and setting a path forward for negotiated rulemaking. More information regarding this rule docket is available at www.deq.idaho.gov/58-0103-1901.

DESCRIPTIVE SUMMARY: This rulemaking has been initiated in response to challenges made in enforcing and updating portions of the **Technical Guidance Manual for Individual Subsurface Sewage Disposal Systems** (TGM). This rule change will add a section to the Individual/Subsurface Sewage Disposal System Rules, IDAPA 58.01.03, to facilitate permitting, design and construction activities for individual/subsurface sewage disposal systems in the state of Idaho by adding portions of the TGM into the rules.

The rules only allow standard individual/subsurface sewage disposal systems to be installed in Idaho. If a standard system cannot be installed on a parcel, an alternative system may be permitted if it is approved by the Director and in accordance with the recommendations of the Technical Guidance Committee as documented in the TGM. Additionally, IDAPA 58.01.03.004.09 states: “The manual maintained by the Technical Guidance Committee shall provide state-of-the art technical guidance on alternative sewage disposal components and systems, soil determination methodology and other information pertinent to the best management practices of individual and subsurface sewage disposal.” Including portions of the TGM in the rules will help facilitate the permitting of alternative and/or proprietary individual/subsurface sewage disposal systems and will clarify the requirements applicable to these systems.

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. Health districts, subsurface sewage disposal system installers and manufacturers of subsurface sewage disposal systems as outlined in the TGM, conservation and environmental groups, 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 Rachael Smith at rachael.smith@deq.idaho.gov or (208) 373-0249.

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/58-0103-1901 or by contacting the undersigned.

Dated this 5th day of June, 2019.

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

IDAPA 60 – IDAHO STATE SOIL AND WATER CONSERVATION COMMISSION

60.05.01 – RULES FOR ADMINISTRATION OF THE IDAHO RESOURCE CONSERVATION AND RANGELAND DEVELOPMENT PROGRAM

DOCKET NO. 60-0501-1901

NOTICE OF INTENT TO PROMULGATE RULES – NEGOTIATED RULEMAKING

AUTHORITY: In compliance with Section 67-5220, Idaho Code, and IDAPA 04.11.01, the Idaho Rules of Administrative Procedure of the Attorney General, Sections 811 through 812, 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 22-2718 and 22-2730, Idaho Code.

METHOD OF PARTICIPATION: Those interested in participating in the negotiated rulemaking process are encouraged to attend the meeting at the following location. The public may participate by telephone conference by calling the number provided in the table below. For those who cannot participate by attending the meeting, information for submitting written comments is provided at the end of this notice.

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

PUBLIC (LIVE) MEETING LOCATION

Tuesday, June 25, 2019 - 9:00 a.m. (MDT)

**Idaho Water Center
322 E. Front Street, Suite 560, Conference Room
Boise, ID 83702**

TELECONFERENCE CALL-IN

**Toll Free: 1-877-820-7831
Participant Code: 922837**

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 from the Idaho Soil and Water Conservation Commission (ISWCC) website at <https://swc.idaho.gov> or by contacting Corrine Dalzell at corrine.dalzell@swc.idaho.gov, (208) 332-1792.

DESCRIPTIVE SUMMARY: ISWCC initiated this rulemaking to modify Section 103 to expedite the loan process by allowing applicants to begin construction before liens are filed and modifying Section 151 to allow a higher maximum loan limit for applicants.

ASSISTANCE ON TECHNICAL QUESTIONS AND SUBMISSION OF WRITTEN COMMENTS: For assistance on questions concerning this rulemaking, contact Corrine Dalzell at corrine.dalzell@swc.idaho.gov, (208) 332-1792.

Written comments may be submitted by mail, fax or email at the address below. The written comment deadline on the preliminary draft rule is July 2, 2019. Information regarding future public comment opportunities provided throughout the negotiated rulemaking process for this rule docket is available from the ISWCC website at <https://swc.idaho.gov> or by contacting the undersigned below.

Dated this 5th day of June, 2019.

Corrine Dalzell, Rules Review Officer
corrine.dalzell@swc.idaho.gov
Telephone: (208)332-1792 / Fax: (208)332-1799

Idaho Soil and Water Conservation Commission
P.O. Box 83720
Boise, ID 83720-0083

Sections Affected Index

IDAPA 02 – DEPARTMENT OF AGRICULTURE

02.02.12 – Bonded Warehouse Rules

Docket No. 02-0212-1902

050. Receipting. 20

IDAPA 11 – IDAHO STATE POLICE STATE BRAND BOARD

11.02.01 – Rules of the Idaho State Brand Board

Docket No. 11-0201-1901

034. Schedule Of Fees For The Idaho State Brand Board. 46

IDAPA 25 – IDAHO OUTFITTERS AND GUIDES LICENSING BOARD

25.01.01 – Rules of the Idaho Outfitters and Guides Licensing Board

Docket No. 25-0101-1902

000. Legal Authority. 70
001. Title And Scope. 70
002. Definitions. 70
017. Review Of Outfitter Applications. 75
027. Outfitter License Tenure. 75
033. (Reserved) 75
057. Designation Of Allocated Deer And Elk Tags. 75
065. guide License Amendments. 77

IDAPA 35 – STATE TAX COMMISSION

35.01.03 – Property Tax Administrative Rules

Docket No. 35-0103-1907

717. Procedure After Claim Approval (Rule 717). 95

LEGAL NOTICE

Summary of Proposed Rulemakings

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

***THERE ARE NO PROPOSED RULES PUBLISHED
IN THE June 5, 2019, IDAHO ADMINISTRATIVE BULLETIN, VOL. 19-6.***

Please refer to the Idaho Administrative Bulletin, [June 5, 2019, Vol. 19-6](#), 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.

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

CUMULATIVE RULEMAKING INDEX OF IDAHO ADMINISTRATIVE RULES

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

July 1, 1993 – Present

CUMULATIVE RULEMAKING INDEX OF IDAHO ADMINISTRATIVE RULES

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

ABRIDGED RULEMAKING INDEX OF IDAHO ADMINISTRATIVE RULES

(Index of Current and Active Rulemakings)

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

April 11, 2019 – June 5, 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)
HCR # – denotes the number of a House Concurrent Resolution (Legislative Action)*

(This Abridged Index includes all active rulemakings.)

IDAPA 02 – IDAHO DEPARTMENT OF AGRICULTURE

02.01.04, Rules Governing the Idaho Preferred[®] Promotion Program

- 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

02.02.12, Bonded Warehouse Rules

- 02-0212-1901*** Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 19-6
02-0212-1902 Adoption of Temporary Rule, Bulletin Vol. 19-6 (eff. 7-1-19)T

02.02.14, Rules for Weights and Measures

- 02-0214-1901*** Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 19-5

02.04.18, Rules Governing CAFO Site Advisory Team

- 02-0418-1901*** Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 19-6

02.04.20, Rules Governing Brucellosis

- 02-0420-1901*** Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 19-6

02.04.21, Rules Governing the Importation of Animals

- 02-0421-1901*** Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 19-6

02.04.30, Rules Governing Nutrient Management

- 02-0430-1901*** Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 19-6

02.06.02, Rules Pertaining to the Idaho Commercial Feed Law

- 02-0602-1901*** Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 19-6

02.06.12, Rules Pertaining to the Idaho Fertilizer Law

- 02-0612-1901*** Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 19-6

02.06.31, Noxious Weed Free Forage and Straw Certification Rules

- 02-0631-1901*** Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 19-6

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

- 02-0641-1901*** Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 19-6

IDAPA 07 – DIVISION OF BUILDING SAFETY

07.01.03, Rules of Electrical Licensing and Registration – General

- 07-0103-1901*** Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 19-5

07.02.03, Rules Governing Permit Fee Schedule

- 07-0203-1901*** Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 19-5

07.02.05, Rules Governing Plumbing Safety Licensing

- 07-0205-1901*** Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 19-5

07.03.01, Rules of Building Safety

- 07-0301-1901*** Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 19-6

07.05.01, Rules of the Public Works Contractors License Board

07-0501-1901 Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 19-5

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

07-0701-1901 Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 19-5

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

07-0801-1901 Notice of Intent to Promulgate a Rule – Negotiated Rulemaking, Bulletin Vol. 19-6

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

10-0101-1901 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 19-6

10.01.04, Rules of Continuing Professional Development

10-0104-1901 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 19-6

10.01.05, Rules for Military or Veterans Licensure

10-0105-1901 Notice of Intent to Promulgate Rules - Negotiated Rulemaking (New Chapter), Bulletin Vol. 19-6

IDAPA 11 – IDAHO STATE POLICE

Idaho State Brand Board

11.02.01, Rules of the Idaho State Brand Board

11-0201-1901 Adoption of Temporary Rule, Bulletin Vol. 19-6 (eff. 7-1-19)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 114, 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 114, 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 13 – IDAHO FISH AND GAME COMMISSION

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

[13-0108-1902AP](#) Notice of Amended Proclamation of Rulemaking, Bulletin Vol. 19-6

[13-0108-1903](#) Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 19-6

[13-0108-1904](#) Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 19-6

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

[13-0109-1901P](#) Notice of Proclamation of Rulemaking, Bulletin Vol. 19-6

[13-0109-1902](#) Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 19-6

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

[13-0110-1901](#) Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 19-6

13.01.11, Rules Governing Fish

[13-0111-1901P](#) Notice of Proclamation, Bulletin Vol. 19-1

[13-0111-1902P](#) Notice of Proclamation of Rulemaking, Bulletin Vol. 19-4

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