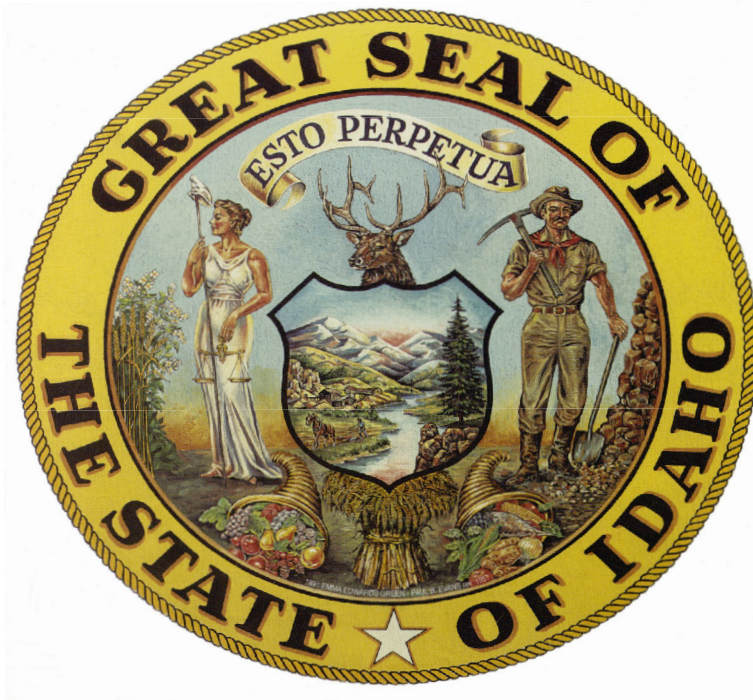


IDAHO ADMINISTRATIVE BULLETIN

June 5, 2024 – Vol. 24-6

Office of the Governor
Division of Financial Management
Office of the Administrative Rules Coordinator



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PREFACE

The Idaho Administrative Bulletin is an electronic-only, online monthly publication of the Office of the Administrative Rules Coordinator, Division of Financial Management, 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 **19-1** refers to the first Bulletin issued in calendar year **2019**; Bulletin **20-1** refers to the first Bulletin issued in calendar year **2020**. Volume numbers, which proceed from 1 to 12 in a given year, correspond to the months of publication, i.e.; Volume No. **19-1** refers to January 2019; Volume No. **20-2** refers to February 2020; and so forth. Example: The Bulletin published in January 2019 is cited as Volume **19-1**. The December 2019 Bulletin is cited as Volume **19-12**.

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 Bulletin publication. 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 sections 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.

“**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. 38-0501-1901”

“**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**).

“**1901**” 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 2019**. A subsequent rulemaking on this same rule chapter in calendar year 2019 would be designated as “**1902**”. The docket number in this scenario would be 38-0501-**1902**.

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 YEAR 2023

Vol. No.	Monthly Issue of Bulletin	ARRF Due to DFM	Closing Date for Agency Filing	Bulletin Publication Date	21-day Comment Period End Date
23-2	February 2023	December 23, 2023	January 6, 2023	February 1, 2023	February 22, 2023
23-3	March 2023	January 27, 2023	February 10, 2023	March 1, 2023	March 22, 2023
23-4	April 2023	February 24, 2023	March 10, 2023	April 5, 2023	April 26, 2023
23-5	May 2023	March 24, 2023	April 7, 2023	May 3, 2023	May 24, 2023
23-6	June 2023	April 21, 2023	May 5, 2023	June 7, 2023	June 28, 2023
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23-9	September 2023	July 21, 2023	August 4, 2023	September 6, 2023	September 27, 2023
23-10	October 2023	August 18, 2023	*September 1, 2023	October 4, 2023	October 25, 2023
23-11	November 2023	September 22, 2023	October 6, 2023	November 1, 2023	November 22, 2023
23-12	December 2023	October 27, 2023	November 9, 2023	December 6, 2023	December 27, 2023
24-1	January 2024	November 13, 2023	**November 27, 2023	January 3, 2024	January 24, 2024

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24-12	December 2024	October 25, 2024	November 8, 2024	December 4, 2024	December 25, 2024
25-1	January 2025	November 15, 2024	**November 29, 2024	January 1, 2025	January 22, 2025

***Last day to submit a proposed rule for the rulemaking to remain on course for review by the upcoming legislature.**

****Last day to submit a pending rule to be reviewed by the upcoming legislature.**

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IDAPA 02.08 – IDAHO SHEEP AND GOAT HEALTH BOARD

02.08.01 – SHEEP AND GOAT RULES OF THE IDAHO SHEEP AND GOAT HEALTH BOARD

DOCKET NO. 02-0801-2401

NOTICE OF INTENT TO PROMULGATE RULES – ZERO-BASED REGULATION (ZBR) 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 and input prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Sections 25-129(1) and 25-147, Idaho Code.

MEETING SCHEDULE: Negotiated rulemaking meetings will be held as follows:

Tuesday, June 11, 2024 8:30 a.m. to 11:30 a.m (MT)	Tuesday, June 25, 2024 8:30 a.m. to 11:30 a.m (MT)
Meetings set for public participation via telephone and web conferencing. (Virtual meeting links will be posted at: townhall.idaho.gov)	

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:

Those interested in participating in the negotiated rulemaking process are encouraged to attend the scheduled meeting via telephone and/or web conferencing. Individuals interested in participating can visit townhall.idaho.gov for specific meeting information, including web links for participation. For those who cannot participate in this way, information for submitting written comments is provided 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:

These rules are being presented for authorization as part of the ISGHB’s plan to review each rule every 5 years. There are no specific rulemaking changes planned by the ISGHB at this time except for evaluation and amendment consistent with the Governor’s [Zero-Based Regulation Executive Order](#). It is anticipated that rulemaking stakeholders will propose and advocate for rulemaking changes as part of the negotiated rulemaking process. The ISGHB intends to carefully consider all changes presented by the public and may propose certain changes so long as they are consistent with the rules’ statutory authority and the Governor’s Executive Order. The ISGHB will review the documents that are currently incorporated by reference in this rule and update that list as applicable.

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 Lauren Mink at lauren.mink@isda.idaho.gov or (208) 803-5084. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the ISGHB website at the following web address: <https://sheepandgoat.idaho.gov/rulemaking>.

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, 2024.

DATED this 5th day of June, 2024.

Lauren Mink
Idaho Sheep and Goat Health Board Executive Secretary
2118 W Airport Way
Boise, Idaho 83705
Phone: (208) 803-5084
Email: lauren.mink@isda.idaho.gov

Idaho Department of Agriculture
2270 Old Penitentiary Road
P.O. Box 7249
Boise, Idaho 83707

IDAPA 08 – STATE BOARD OF EDUCATION

08.01.13 – RULES GOVERNING THE OPPORTUNITY SCHOLARSHIP PROGRAM

DOCKET NO. 08-0113-2401

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 and input prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Article IX, Section 2, Idaho Constitution and under Sections 33-105, 33-4303, and 33-4304, Idaho Code.

MEETING SCHEDULE: A negotiated rulemaking meeting(s) will be held no later than July 3, 2024.

Specific meeting dates, times, and locations of scheduled meetings, details are forthcoming and will be provided on the agency website and on Townhall.Idaho.gov.

The meeting site(s) will be accessible to persons with disabilities, if needed. Requests for accommodation must be made at least one (1) day 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 persons wishing to participate in the negotiated rulemaking may do so by contacting the undersigned either in writing, by email, or by calling the phone number listed below. Responses must be received by July 3, 2024.

Should a sufficient number of persons respond to this notice, additional negotiated meetings will be scheduled. All scheduled meetings shall be posted and made accessible on the agency website at the address listed below and via Townhall.Idaho.gov at least 48 hours before the meeting.

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 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:

H500 and H747 (2024) amended Idaho Code § 33-4303. To remain compliant with the governing statute, IDAPA 08.01.13 must be revised to reflect several key changes. These changes include the following: updating the credit completion minimums for students seeking to renew an Opportunity Scholarship beyond the initial year of award; including a new initial eligibility requirement that restricts students from receiving both the Opportunity Scholarship and the Launch Grant simultaneously; and reinstating community colleges as eligible recipients of Opportunity Scholarship Funds.

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 Nicholas Wagner at rules@edu.idaho.gov or (208)-488-7586).

Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the Idaho State Board of Education website at the following web address: <https://boardofed.idaho.gov/board-policies-rules/board-rules/education-rules/>.

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 3, 2024.

DATED this 3rd day of May, 2024.

Nicholas Wagner
Administrative Rules Coordinator
Idaho State Board of Education
650 W State St.
PO Box 83720
Boise, Idaho 83720-0037
Phone: (208)488-7586, fax: (208)334-2632

IDAPA 08 – STATE BOARD OF EDUCATION

08.01.15 – RULES GOVERNING THE FIREARMS SAFETY GRANT PROGRAM

DOCKET NO. 08-0115-2401 (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 and input prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Sections 33-1628, 9-402, 49-402D, 49-420's, and 67-1210 Idaho code.

MEETING SCHEDULE: A negotiated rulemaking meeting(s) will be held no later than July 3, 2024.

Specific meeting dates, times, and locations of scheduled meetings, details are forthcoming and will be provided on the agency website and on Townhall.Idaho.gov.

The meeting site(s) will be accessible to persons with disabilities, if needed. Requests for accommodation must be made at least one (1) day 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 persons wishing to participate in the negotiated rulemaking may do so by contacting the undersigned either in writing, by email, or by calling the phone number listed below. Responses must be received by July 3, 2024.

Should a sufficient number of persons respond to this notice, additional negotiated meetings will be scheduled. All scheduled meetings shall be posted and made accessible on the agency website at the address listed below and via Townhall.Idaho.gov at least 48 hours before the meeting.

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 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:

S1317 (2024) amended § 33-1628, § 33-402, §33-402A, Idaho Code and established §49-420S as a new section of Idaho Code. The amendments collectively established a grant program for firearms safety to be administered by the State Board of Education. The bill also gives the State Board of Education administrative purposes to oversee the grant and rule making authority. The grant fund will consist of proceeds from the Idaho Transportation Department's sale of a novelty license plate bearing the phrase "Don't Tread on Me" and an image of the Gadsden flag. Grant awards will be provided to school districts that apply for the use of such funds to establish or maintain firearms safety education courses for K-12 students. License plates will be available for sale on January 1, 2025 and the first grant application cycle is anticipated to open in the summer of 2025. The proposed new rule will establish procedures for administration of this new grant.

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 Nicholas Wagner at rules@edu.idaho.gov or (208)-488-7586).

Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the Idaho State Board of Education website at the following web address: <https://boardofed.idaho.gov/board-policies-rules/board-rules/education-rules/>.

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 3, 2024.

DATED this 3rd day of May, 2024.

Nicholas Wagner
Administrative Rules Coordinator
Idaho State Board of Education
650 W State St.
PO Box 83720
Boise, Idaho 83720-0037
Phone: (208)488-7586, fax: (208)334-2632

IDAPA 08 – STATE BOARD OF EDUCATION

08.02.02 – RULES GOVERNING UNIFORMITY

DOCKET NO. 08-0202-2401

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 and input prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Article IX, Section 2 of the Idaho Constitution and under Sections 33-105, 33-107, 33-116, and 33-1612, Idaho Code.

MEETING SCHEDULE: A negotiated rulemaking meeting(s) will be held no later than July 3, 2024.

Specific meeting dates, times, and locations of scheduled meetings, details are forthcoming and will be provided on the agency website and on Townhall.Idaho.gov.

The meeting site(s) will be accessible to persons with disabilities, if needed. Requests for accommodation must be made at least one (1) day 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 persons wishing to participate in the negotiated rulemaking may do so by contacting the undersigned either in writing, by email, or by calling the phone number listed below. Responses must be received by July 3, 2024.

Should a sufficient number of persons respond to this notice, additional negotiated meetings will be scheduled. All scheduled meetings shall be posted and made accessible on the agency website at the address listed below and via Townhall.Idaho.gov at least 48 hours before the meeting.

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 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 amendment to Idaho Code § 33-1203 that resulted from S1069 (2023) provided for a board-approved apprenticeship program to be developed. S1069 also allowed for teacher certifications to be issued to teachers based on completion of four years of college training or the completion of a board approved apprenticeship program. The current language in IDAPA only addresses the four years of college training and needs to be updated to address the additional pathway allowed by this amendment to Idaho Code § 33-1203. A board workgroup developed the program during 2023, the approval by the board was granted in December of 2023 and the U.S. Department of Labor granted approval in February of 2024. Now that the parameters of the program are established, this rule needs to be amended to align with the program exit requirements before apprentices (who will enter the program in fall of 2024) become eligible to exit. The changes also update the apprenticeship subsection 014 to clarify the federally established minimum age for participation in apprenticeships and aligns the rule with the language in Idaho Code § 33- 1203.

Additional changes are proposed for the purpose of clarifying the teacher certification procedures. Additionally, The Standards for Idaho School Buses and Operation (SISBO) manual, a document incorporated by reference and last updated in 2022 has been revised by the Idaho Department of Education. These revisions will be considered for adoption by the Board at its next regularly scheduled meeting.

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 Nicholas Wagner at rules@edu.idaho.gov or (208)-488-7586).

Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the Idaho State Board of Education website at the following web address: <https://boardofed.idaho.gov/board-policies-rules/board-rules/education-rules/>.

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 3, 2024.

DATED this 3rd day of May, 2024.

Nicholas Wagner
Administrative Rules Coordinator
Idaho State Board of Education
650 W State St.
PO Box 83720
Boise, Idaho 83720-0037
Phone: (208)488-7586, fax: (208)334-2632

IDAPA 08 – STATE BOARD OF EDUCATION

08.02.03 – RULES GOVERNING THOROUGHNESS

DOCKET NO. 08-0203-2401

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 and input prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Article IX, Section 2 of the Idaho Constitution and under sections 33-105, 33-116, 33-118, and 33-1612, Idaho Code.

MEETING SCHEDULE: A negotiated rulemaking meeting(s) will be held no later than July 3, 2024.

Specific meeting dates, times, and locations of scheduled meetings, details are forthcoming and will be provided on the agency website and on Townhall.Idaho.gov.

The meeting site(s) will be accessible to persons with disabilities, if needed. Requests for accommodation must be made at least one (1) day 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 persons wishing to participate in the negotiated rulemaking may do so by contacting the undersigned either in writing, by email, or by calling the phone number listed below. Responses must be received by July 3, 2024.

Should a sufficient number of persons respond to this notice, additional negotiated meetings will be scheduled. All scheduled meetings shall be posted and made accessible on the agency website at the address listed below and via Townhall.Idaho.gov at least 48 hours before the meeting.

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 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 Department of Education (IDE) is requesting the Board promulgate rules and incorporated by reference documents in IDAPA 08.02.03. Several sets of content standards, which are incorporated by reference into IDAPA 08.02.03, were due for review during the 2023- 2024 school year and the revisions proposed by the committee work will be considered for adoption by the Board at its next regularly scheduled meeting. These approval dates need to be updated in the rule. Content standards that were revised include: Arts and Humanities, Computer Science and Educational Technology, Driver Education, and Social Studies.

The Idaho Special Education Manual, incorporated by reference into IDAPA 08.02.03, was revised to ensure compliance with the Individuals with Disabilities Act, as the Idaho Department of Education was notified in October of 2023 of non-compliance by the U.S. Department of Education, Office of Special Education Programs, OSEP. Specifically, the manual must be updated regarding student eligibility requirements. This change is addressed through a separate temporary rule which will expire upon adjournment sine die 2025. Including these changes into the proposed rule ensures that the updates to the Special Education Manual are permanent.

Changes to subsection 105 regarding High school Graduation Requirements were reviewed by a committee facilitated by the IDE throughout the 2023-2024 school year at the request of the Superintendent of Public Instruction. Idaho is considering modernizing the traditional graduation system to better accommodate variable pathways and competency-based graduation plans.

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 Nicholas Wagner at rules@edu.idaho.gov or (208)-488-7586).

Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the Idaho State Board of Education website at the following web address: <https://boardofed.idaho.gov/board-policies-rules/board-rules/education-rules/>.

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, 3 2024.

DATED this 3rd day of May, 2024.

Nicholas Wagner
Administrative Rules Coordinator
Idaho State Board of Education
650 W State St.
PO Box 83720
Boise, Idaho 83720-0037
Phone: (208)488-7586, fax: (208)334-2632

IDAPA 08 – STATE BOARD OF EDUCATION

08.04.01 – RULES OF THE IDAHO DIGITAL LEARNING ACADEMY

DOCKET NO. 08-0401-2401

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 and input prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Article IX, Section 2 of the Idaho Constitution and under Sections 33-5504, 33-5505, 33-5507, and Chapter 55, Title 33, Idaho Code

MEETING SCHEDULE: A negotiated rulemaking meeting(s) will be held no later than July 3, 2024.

Specific meeting dates, times, and locations of scheduled meetings, details are forthcoming and will be provided on the agency website and on Townhall.Idaho.gov.

The meeting site(s) will be accessible to persons with disabilities, if needed. Requests for accommodation must be made at least one (1) day 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 persons wishing to participate in the negotiated rulemaking may do so by contacting the undersigned either in writing, by email, or by calling the phone number listed below. Responses must be received by July 3, 2024.

Should a sufficient number of persons respond to this notice, additional negotiated meetings will be scheduled. All scheduled meetings shall be posted and made accessible on the agency website at the address listed below and via Townhall.Idaho.gov at least 48 hours before the meeting.

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 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 2024 legislature reviewed 08.04.01 rule amendments. Concurrent resolutions HCR32 and SCR122 were not in alignment on a single point of revision and therefore none of the proposed amendments passed. Specifically, the House Education Committee rejected the proposed removal of language in subsection 102.03 requiring faculty to contact students within the first 24 hours of class. The Senate Education Committee did not reject this proposed amendment. All other proposed revisions were not contested by either germane committee. IDLA has requested to bring forward in 2025 the same proposed revisions, excluding the section that did not achieve consensus in 2024.

The proposed change will allow IDLA in collaboration with the local education agency (LEA) to determine comprehensive assessment requirements for their students enrolled in Idaho Digital Learning Academy (IDLA) courses. This proposed change reflects similar language in 08.04.01, Section 01 under Accountability recognizing the partnership between IDLA and the local school enrolling the student. The current language specifies a more traditional assessment. The proposed language will provide for a broader definition and allow for portfolios or other demonstrations of learning to serve as the final assessment when deemed appropriate by IDLA and the LEA. This minor adjustment to 08.04.01 recognizes the authority of LEAs. The adjustment to 08.04.01 does not increase regulation.

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 Nicholas Wagner at rules@edu.idaho.gov or (208)-488-7586).

Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the Idaho State Board of Education website at the following web address: <https://boardofed.idaho.gov/board-policies-rules/board-rules/education-rules/>.

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 3, 2024.

DATED this 3rd day of May, 2024.

Nicholas Wagner
Administrative Rules Coordinator
Idaho State Board of Education
650 W State St.
PO Box 83720
Boise, Idaho 83720-0037
Phone: (208)488-7586, fax: (208)334-2632

IDAPA 11 – IDAHO STATE POLICE

11.10.01 – RULES GOVERNING IDAHO PUBLIC SAFETY AND SECURITY INFORMATION SYSTEM

DOCKET NO. 11-1001-2401 (FEE RULE)

NOTICE OF RULEMAKING – ADOPTION OF TEMPORARY RULE

EFFECTIVE DATE: The effective date of the temporary rule is April 24, 2024.

EXPIRATION DATE: In accordance with Section 67-5226(5), Idaho Code, this temporary rule will expire on its own terms July 1, 2024.

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 19-5201-5204, Idaho Code.

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

During the 2024 Legislative Session, the Idaho Legislature approved the changes submitted under pending docket 11-1001-2301. However, the temporary rules adopted under the same docket expired upon sine die. House Bill 767, which makes all approved rules effective July 1, was also passed and signed into law during session. This temporary rule codifies the changes done as part of the negotiated rulemaking process and as approved by the Idaho Legislature until the final rules can take effect July 1, 2024.

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

This temporary rule is necessary to ensure the continue operation of the Idaho Public Safety and Information Security System (ILETS) can continue to provide the critical officer safety and other information used by law enforcement agencies across Idaho. The system is a vital link for law enforcement and provides 24/7 access to information that keeps communities safe. It will ensure adequate funding is available to support the continued stable operation of the ILETS System and is necessary to protect the public health, safety, and welfare of the people of Idaho.

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:

Idaho Code 19-5202 authorizes the access chargers for users of the ILETS system. The following is the fee schedule effective on October 1, 2023.

Percentage of Total ILETS Message Traffic	Annual Usage Fee effective Oct. 1, 2023
0 - .25 %	\$3,750
.26 - .50 %	\$7,500
.51 - .75 %	\$15,000
.76 - 1.0 %	\$24,000
1.01 - 1.50 %	\$32,500
1.51 – 2.0 %	\$48,750
2.01 – 5.0 %	\$69,625
> 5.01 %	\$98,939

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning the temporary rule, contact Bureau Chief, Leila McNeill, (208) 884-7136, Email: Leila.Mcneill@isp.idaho.gov.

DATED this 5th day of June, 2024.

Lt. Colonel Bill Gardiner
Chief of Staff
Idaho State Police
700 S Stratford Drive
Meridian ID 83642
(208) 884-7004
Bill.gardiner@isp.idaho.gov

THE FOLLOWING IS THE TEXT OF THE TEMPORARY (FEE) RULE FOR DOCKET NO. 11-1001-2401
(Only Those Sections With Amendments Are Shown.)

018. USER ACCESS FEES.

01. Payment of Fees Required. Any agency that has signed a user agreement with ILETS to have direct terminal or system access to the network must pay access and usage fees as provided in Section 018. (3-23-22)

02. ILETS Network User Access Fees. The access fees approved by the Board and to be collected quarterly in advance by the department are as follows: (3-23-22)

a. An agency at the county or municipal level pays an annual access fee of five thousand, four hundred and twenty-five dollars (\$5,425). (3-23-22)

b. An agency at the state, federal, or tribal level pays an annual access fee of nine thousand dollars (\$9,000). (3-23-22)

03. Usage Fee. Any agency that has signed a user agreement with ILETS to have direct terminal or system access to the ILETS network pays quarterly a usage fee based on that agency's percentage of total annual messages sent and received by user agencies through the ILETS message switcher. The total percentage for an agency includes the message traffic generated by any other agency authorized to access ILETS through that agency's direct terminal or system access. (3-23-22)

a. The usage fee is assessed according to the following schedule:

Percentage of Total ILETS Message Traffic	Annual Usage Fee Effective October 1, 2014 2023
0 - .25 %	\$ 1,875 3,750
.26 - .50 %	\$ 3,750 7,500

Percentage of Total ILETS Message Traffic	Annual Usage Fee Effective October 1, 2014 2023
.51 - .75 %	\$ 7,500 15,000
.76 - 1.0 %	\$ 15,000 24,000
1.01 - 1.50 %	\$ 22,500 32,500
1.51 – 2.0 %	\$ 33,750 48,750
2.01 – 5.0 %	\$ 50,625 69,625
> 5.01 %	\$ 75,939 98,939

~~(3-23-22)~~(4-24-24)T

b. The department will conduct audits of ILETS message switcher traffic for even-numbered years to determine an agency’s annual usage fee. This fee is effective for two (2) years and begins with the quarterly statement beginning October 1 of odd-numbered years. (3-23-22)

c. If an agency discontinues direct terminal or system access to ILETS and acquires authorized access through another agency, the usage fee for the agency maintaining direct access will be adjusted to reflect the combined historical usage. (3-23-22)

d. A new agency approved for direct ILETS access that does not have historical usage will be assessed an interim usage fee by the department pending the next audit of ILETS message traffic. The department sets an interim fee based on the agency’s similarities to existing agencies with direct terminal or system access. An agency may appeal the interim usage fee set by the department to the ILETS Board. (3-23-22)

e. As operator of ILETS, the department, in lieu of payment of fees, provides direct and in-kind support of network operations. The Board reviews biennially the proportion of that support to the overall operating cost of the system. (3-23-22)

04. Billing and Payment. The department mails billing statements quarterly to all agencies with direct terminal or system access to ILETS. Payment of the fees is due by the first day of the month of each quarter (October 1, January 1, April 1, and July 1), unless it is a Saturday, a Sunday, or a legal holiday, in which event the payment is due on the first successive business day. (3-23-22)

05. Sanctions for Delinquency. Any user agency that becomes delinquent in payment of assessed fees is subject to sanctions under Section 028. (3-23-22)

IDAPA 13 – IDAHO FISH AND GAME COMMISSION
ESTABLISHING SEASONS AND LIMITS FOR HUNTING, FISHING, AND TRAPPING IN IDAHO
DOCKET NO. 13-0000-2400P3
NOTICE OF ADOPTED / AMENDED PROCLAMATIONS FOR CALENDAR YEAR 2024

AUTHORITY: As authorized by Section 36-104, Idaho Code, and in compliance with Sections 36-105(3), Idaho Code, the Commission adopts proclamations establishing seasons and limits for hunting, fishing, and trapping in Idaho.

AVAILABILITY OF OFFICIAL PROCLAMATIONS: Hunters, anglers, and trappers are advised to consult the text of the Commission’s official proclamation before hunting, fishing, or trapping. All proclamations are available on-line at <https://idfg.idaho.gov/rules>, with print versions available at Idaho Department of Fish and Game offices and license vendors.

DESCRIPTIVE SUMMARY AND PUBLIC MEETING SCHEDULE: The Commission meeting schedule and meeting agendas are available on-line at [Commission Meeting Schedule](#), with opportunities for public comment generally scheduled at its January, March, May, July, and November meetings.

Information for Commission proclamations for calendar year 2024 was initially published in the February 7, 2024, Idaho Administrative Bulletin, [Volume 24-2, pages 10-11](#).

At a April 17, 2024, meeting the Commission took the following proclamation action:

1. Adopted a proclamation for the 2024-2025 migratory bird seasons, establishing seasons and limits for taking of ducks, Wilson’s snipe, coots, geese, swans, doves, crows, and sandhill cranes in Idaho.

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

**OFFICE OF THE ADMINISTRATIVE RULES COORDINATOR,
DIVISION OF FINANCIAL MANAGEMENT**

**IDAPA 16 – IDAHO DEPARTMENT OF HEALTH AND WELFARE
IDAHO COUNCIL ON DOMESTIC VIOLENCE AND VICTIM ASSISTANCE**

DOCKET NO. 16-0504-2400

NOTICE OF RULEMAKING – ASSIGNMENT OF NEW IDAPA DESIGNATION NUMBER

EFFECTIVE DATE: The effective date of this action is July 1, 2024.

AUTHORITY: In compliance with Sections 67-5202(2), 67-5202(3), and 67-5203, Idaho Code, notice is hereby given by the Office of the Administrative Rules Coordinator that the Idaho Council on Domestic Violence and Victim Assistance (ICDVVA, Council) has been assigned a new IDAPA designation number. Under the Administrative Procedures Act (APA), the Rules Coordinator is charged with maintaining the Administrative Code and empowered to prescribe a uniform style, form, and numbering system for all rules.

DESCRIPTIVE SUMMARY: The following is a statement in nontechnical language of the substance of this notice:

Since its inception, ICDVVA has shared the same IDAPA number – 16 – with the Department of Health and Welfare (DHW, Department) despite having its own rulemaking authority and being a separate agency from DHW. Accordingly, the Coordinator has determined it is more appropriate to separately designate ICDVVA as its own IDAPA number – 63 – to reflect the statutory independence of the Council. This redesignation is administrative in nature; it does nothing to change or otherwise modify the statutory power granted to the Council.

The Council will continue to rely on the Department for fiscal and administrative purposes but will remain programmatically independent of DHW with a separate leadership structure.

This notice, in accordance with Section 67-5202, Idaho Code, complies with the statutory intent of the APA by redesignating the affected chapter of rules of the Idaho Council on Domestic Violence and Victim Assistance, Domestic Violence Council Grants. The rules are now indexed as **IDAPA 63, Title 05, Chapter 04**.

Notwithstanding the provisions of Title 67, Chapter 52, Idaho Code, non-substantive changes will be made to update all references and citations within the rules currently under the authority of the Council and include, but are not limited to, the following:

All citations and references to IDAPA 16, Title 05, Chapter 04, Idaho Council on Domestic Violence and Victim Assistance, are hereby redesignated as:

- **63.05.04** – Domestic Violence Council Grants.

Pursuant to Sections 67-5202, 67-5203, and 67-5204, Idaho Code, the text of the above listed chapter is being published under companion docket number 63-0504-2400 in this Bulletin and will be incorporated into the current Idaho Administrative Code. All rule citations and references have been updated to reflect the transfer of the rule chapter enumerated in, and effectuated by, this notice.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this notice contact the undersigned.

Dated this 5th Day of June, 2024.

Bradley A. Hunt
Administrative Rules Coordinator
Office of the Administrative Rules Coordinator
Division of Financial Management
P. O. Box 83720
Boise, ID 83720-0032
Phone: (208) 854-3096

IDAPA 16 – DEPARTMENT OF HEALTH AND WELFARE

16.06.01 – CHILD AND FAMILY SERVICES

DOCKET NO. 16-0601-2402

NOTICE OF RULEMAKING – TEMPORARY AND PROPOSED RULE

EFFECTIVE DATE: The effective date of the temporary rule is April 17, 2024.

AUTHORITY: In compliance with Sections 67-5221(1) and 67-5226, Idaho Code, notice is hereby given that this agency has adopted a temporary rule, and proposed regular rulemaking procedures have been initiated. The action is authorized pursuant to Sections 16-1629, 16-1623, 16-2102, 16-2406, 16-2423, and 16-2433, 39-1209 through 1211, 39-5603, 39-7501, 56-202(b), 56-204A, 56-803, 56-1003, 56-1004, 56-1004A, and 56-1007, Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearings concerning this rulemaking will be held as follows:

VIRTUAL TELECONFERENCES Via WebEx
<p style="text-align: center;">Thursday, June 20, 2024 10:00 a.m. - 11:30 a.m. (MT)</p>
<p style="text-align: center;">Join from the meeting link https://idhw.webex.com/idhw/j.php?MTID=m40abe4a9edb65df9b3e2a801ecaac318</p> <p style="text-align: center;">Join by meeting number Meeting number (access code): 2822 664 4108 Meeting password: pmVWt6cYa54 (76898629 from phones and video systems)</p> <p style="text-align: center;">Join by phone +1-415-527-5035 United States Toll +1-303-498-7536 United States Toll (Denver)</p>
<p style="text-align: center;">Thursday, June 20, 2024 5:00 p.m. - 6:30 p.m. (MT)</p>
<p style="text-align: center;">Join from the meeting link https://idhw.webex.com/idhw/j.php?MTID=mb5d4396abf352e17dc0dcac7313acd09</p> <p style="text-align: center;">Join by meeting number Meeting number (access code): 2818 321 5678 Meeting password: 3MBqibzHE83 (36274294 from phones and video systems)</p> <p style="text-align: center;">Join by phone +1-415-527-5035 United States Toll +1-303-498-7536 United States Toll (Denver)</p>

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below. Each meeting will conclude after 30 minutes if no participants sign into the meeting.

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

Under the Adoption Section there is clear language that outlines that only social workers are responsible for assisting children in processing grief and loss as a result of their separation from their parents. Language specific to “social workers” needs to be modified to include family services workers, which includes licensed and non-licensed social workers and individuals with a human services degree. This change aligns with current staffing and practices and allows all Department staff who fall under the definition of “family services worker” (who maintains case planning and case management responsibilities) the authority to complete monthly contacts with children in foster care as required by the Social Security Act §422(b)(17) and §424(f).

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

This change is necessary for the protection of the public health, safety, or welfare of citizens utilizing the services in family services and clarifies rule to align with current practice.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased:

There are no associated fee changes due to the Temporary and Proposed rule changes in this rulemaking.

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year:

This rulemaking is not anticipated to have any fiscal impact on the State Funds, General Funds, or any other known funds.

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(1), Idaho Code, negotiated rulemaking related to the content of this docket was conducted under the rewrite docket for IDAPA 16.06.01, “Child and Family Services,” Docket No. 16-0601-2401. The Notice of Intent to Promulgate Rules - Negotiated Rulemaking was published in the April 3, 2024, Idaho Administrative Bulletin, [Vol. 24-4, pages 23-24](#).

INCORPORATION BY REFERENCE: Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule:

There are no incorporation by reference changes included in this rulemaking.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the temporary and proposed rule, contact Andie Blackwood at (208) 334-5960.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before June 26, 2024.

DATED this 23rd day of May, 2024.

Trinette Middlebrook and Frank Powell
DHW – Administrative Rules Unit
450 W. State Street – 10th Floor
P.O. Box 83720
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THE FOLLOWING IS THE TEMPORARY RULE AND THE PROPOSED TEXT
OF DOCKET NO. 16-0601-2402
(Only Those Sections With Amendments Are Shown.)

16.06.01 – CHILD AND FAMILY SERVICES

011. DEFINITIONS AND ABBREVIATIONS F THROUGH K.

For the purposes of these rules, the following terms are used: (3-15-22)

01. Family. Parent(s), legal guardian(s), related individuals including birth or adoptive immediate family members, extended family members and significant other individuals, who are included in the family plan. (3-15-22)

02. Family Assessment. An ongoing process based on information gained through a series of meetings with a family to gain mutual perception of strengths and resources that can support them in creating long-term solutions related to identified service needs and safety threats to family integrity, unity, or the ability to care for their members. (3-15-22)

03. Family Case Record. Electronic and hard copy compilation of all documentation relating to a family, including legal documents, identifying information, and evaluations. (3-15-22)

04. Family (Case) Plan. Also referred to as a family service plan. A written document that serves as the guide for provision of services. The plan, developed with the family, clearly identifies who does what, when, how, and why. The family plan incorporates any special plans made for individual family members. If the family includes an Indian child, or child's tribe, tribal elders or leaders should be consulted early in the plan development. (3-15-22)

05. Family Services Worker. ~~Any of the direct service~~ Case carrying personnel, ~~including social workers,~~ working in regional Child and Family Services Programs. (3-15-22)(4-17-24)T

06. Federally-Funded Guardianship Assistance for Relatives. Benefits described in Subsection 702.04 and Section 703 of these rules provided to a relative guardian for the support of a child who is fourteen (14) years of age or older, who, without guardianship assistance, would remain in the legal custody of the Department of Health and Welfare. (3-15-22)

07. Field Office. A Department of Health and Welfare service delivery site. (3-15-22)

08. Goal. A statement of the long-term outcome or plan for the child and family. (3-15-22)

09. Independent Living. Services provided to eligible foster or former foster youth, ages fourteen (14) to twenty-three (23), designed to support a successful transition to adulthood. (3-15-22)

10. Indian. Any person who is a member of an Indian tribe or who is an Alaska Native and a member of a Regional Corporation as defined in 43 U.S.C. 1606. (3-15-22)

11. Indian Child. Any unmarried person who is under the age of eighteen (18) who is: (3-15-22)

a. A member of an Indian tribe; or (3-15-22)

b. Eligible for membership in an Indian tribe, and who is the biological child of a member of an Indian tribe. (3-15-22)

12. Indian Child Welfare Act (ICWA). The Indian Child Welfare Act, 25 U.S.C. 1901, et seq.

- (3-15-22)
- 13. Indian Child's Tribe.** (3-15-22)
- a.** The Indian tribe in which an Indian child is a member or eligible for membership, or (3-15-22)
- b.** In the case of an Indian child who is a member of or eligible for membership in more than one (1) tribe, the Indian tribe with which the Indian child has the more significant contacts. (3-15-22)
- 14. Indian Tribe.** Any Indian Tribe, band, nation, or other organized group or community of Indians recognized as eligible for the services provided to Indians by the Secretary because of their status as Indians, including any Alaska Native village as defined in 43 U.S.C. 1602(c). (3-15-22)
- 15. Intercountry Adoption Act of 2000 (P.L. 106-279).** Federal law designed to protect the rights of, and prevent abuses against children, birth families, and adoptive parents involved in adoptions (or prospective adoptions) subject to the Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption, and to insure that such adoptions are in the children's best interests; and to improve the ability of the federal government to assist U.S. citizens seeking to adopt children from abroad and residents of other countries party to the Convention seeking to adopt children from the United States. (3-15-22)
- 16. Interethnic Adoption Provisions of 1996 (IEP).** IEP prohibits delaying or denying the placement of a child for adoption or foster care on race, color or national origin of the adoptive or foster parent(s), or the child involved. (3-15-22)
- 17. Interstate Compact on the Placement of Children (ICPC).** Interstate Compact on the Placement of Children (ICPC) in Title 16, Chapter 21, Idaho Code, ensures that the jurisdictional, administrative, and human rights obligations of interstate placement or transfers of children are protected. (3-15-22)
- 18. Kin.** Non-relatives who have a significant, family-like relationship with a child. Kin may include godparents, close family friends, clergy, teachers, and members of a child's Indian tribe. Also known as fictive kin. (3-15-22)
- 012. DEFINITIONS AND ABBREVIATIONS L THROUGH R.** (3-15-22)
For the purposes of these rules, the following terms are used:
- 01. Legal Guardianship.** A judicially-created relationship, in accordance with Title 15, Chapter 5, Part 2, Idaho Code, including one made by a tribal court, between a child and a relative or non-relative. (3-15-22)
- 02. Licensed.** Facilities or programs are licensed in accordance with the provisions of IDAPA 16.06.02, "Child Care Licensing." (3-15-22)
- 03. Licensing.** See IDAPA 16.06.02, "Child Care Licensing," Section 100. (3-15-22)
- 04. Medicaid.** See "Title XIX." (3-15-22)
- 05. Multiethnic Placement Act of 1994 (MEPA).** MEPA prohibits states or public and private foster care and adoption agencies that receive federal funds from delaying or denying the placement of any child solely on the basis of race, color, or national origin. (3-15-22)
- 06. Parent.** A person who, by birth or through adoption, is considered legally responsible for a child. The term "legal guardian" is not included in the definition of parent. (3-15-22)
- 07. Permanency Planning.** A primary function of family services initiated in all cases to identify programs, services, and activities designed to establish permanent home and family relationships for children within a reasonable amount of time. (3-15-22)
- 08. Personal Care Services (PCS).** Services to eligible Medicaid recipients that involve personal and

- medically-oriented tasks dealing with the physical or functional impairments of the individual. (3-15-22)
- 09. P.L. 96-272.** Public Law 96-272, the federal “Adoption Assistance and Child Welfare Act of 1980.” (3-15-22)
- 10. P.L. 105-89.** Public Law 105-89, the federal “Adoptions and Safe Families Act of 1997,” amends P.L. 96-272 and prohibits states from delaying or denying cross-jurisdictional adoptive placements with an approved family. (3-15-22)
- 11. Planning.** An orderly rational process that results in identification of goals and formulation of timely strategies to fulfill such goals, within resource constraints. (3-15-22)
- 12. Qualified Expert Witness--ICWA.** An individual who is an expert regarding tribal customs pertaining to family organization and child rearing practice, and is qualified to render an opinion as to whether continued custody of the child by the parent(s), or Indian custodian(s), is likely to result in serious emotional or physical damage to the child. (3-15-22)
- 13. Relative.** Person related to a child by blood, marriage, or adoption. (3-15-22)
- 14. Relative Guardian.** A relative who is appointed a child’s legal guardian in accordance with Title 15, Chapter 5, Part 2, Idaho Code, including a guardianship established by a tribal court. (3-15-22)
- 15. Reservation.** A reservation is an area of land “reserved” by or for an Indian band, village, or tribe(s) to live on and use. Reservations were created by treaty, by congressional legislation, or by executive order. Since 1934, the Secretary of the Interior has had the responsibility of establishing new reservations or adding land to existing reservations. (3-15-22)
- 16. Respite Care.** Time-limited care provided to children. Respite care is utilized in circumstances that require short term, temporary care of a child by a licensed or agency-approved caregiver different from their usual caregiver. The duration of an episode of respite care ranges from one (1) partial day up to fourteen (14) consecutive days. (3-15-22)
- 17. Responsible Party.** A Department social worker, clinician, family services worker, or service provider who maintains responsibility and authority for case planning and case management. ~~(3-15-22)~~(4-17-24)T

(BREAK IN CONTINUITY OF SECTIONS)

484. ADDITIONAL PAYMENTS TO FAMILY ALTERNATE CARE PROVIDERS.

For those children who require additional care above room, board, shelter, daily supervision, school supplies, personal incidentals, the Department may pay the family alternate care provider an additional amount to the amount paid under Section 483 of these rules. This family alternate care rate is based upon a ongoing assessment of the child's circumstances that necessitate special rates as well as the care provider's ability, activities, and involvement in addressing those special needs. Additional payment will be made as follows: (3-15-22)

- 01. Lowest Level of Need.** Ninety dollars (\$90) per month for a child requiring a mild degree of care for documented conditions including: (3-15-22)
- a.** Chronic medical problems; (3-15-22)
 - b.** Frequent, time-consuming transportation needs; (3-15-22)
 - c.** Behaviors requiring extra supervision and control; and (3-15-22)
 - d.** Need for preparation for independent living. (3-15-22)

02. Moderate Level of Need. One hundred fifty dollars (\$150) per month for a child requiring a moderate degree of care for documented conditions including: (3-15-22)

- a. Ongoing major medical problems; (3-15-22)
- b. Behaviors that require immediate action or control; and (3-15-22)
- c. Alcohol or other substance use disorder. (3-15-22)

03. Highest Level of Need. Two hundred forty dollars (\$240) per month for a child requiring an extraordinary degree of care for documented conditions including: (3-15-22)

- a. Severe emotional or behavioral disturbance; (3-15-22)
- b. Severe developmental disability; and (3-15-22)
- c. Severe physical disability such as quadriplegia. (3-15-22)

04. Reportable Income. Additional payments for more than ten (10) qualified children received during any calendar year must be reported as income to the Internal Revenue Service. (3-15-22)

05. Crisis Level of Need. The director or designee may approve enhanced rates for foster parents when there are insufficient foster homes available to meet the needs of children needing placement including sibling groups. (4-17-24)T

(BREAK IN CONTINUITY OF SECTIONS)

564. NOTIFICATION OF A SUBSTANTIATED INCIDENT OF ABUSE, NEGLECT, OR ABANDONMENT, AND RELATED ADMINISTRATIVE REVIEW AND CONTESTED CASE APPEAL RIGHTS.

01. Notification of Substantiated Incident. Prior to placement on the Child Protection Central Registry, the Department will notify by certified mail, return receipt requested, each individual for whom an incident of abuse, neglect, or abandonment has been substantiated. The individual has twenty-eight (28) days from the date on the notification to file a request for an administrative review ~~under the requirements in IDAPA 16.05.03, "Contested Case Proceedings and Declaratory Rulings."~~ Failure to request a review will result in the individual's name being entered on the Child Protection Central Registry without further right for appeal. The Department's written notice will state: (3-15-22)(4-17-24)T

- a. The risk level assigned to the incident; (3-15-22)
- b. The basis for the Department's decision; (3-15-22)
- c. The individual's right to request an administrative review by the Department's Family and Community Services (FACS) Division Administrator of the Department's decision; and (3-15-22)
- d. The Department's contact information. (3-15-22)

~~**02. Administrative Review Not Requested.** If the individual does not request an administrative review by the FACS Division Administrator within twenty-eight (28) days from the date on the notification, their name will automatically be entered on the Child Protection Central Registry without further notice or right for appeal. (3-15-22)~~

03. Administrative Review Requested. If the individual requests an administrative review by the FACS Division Administrator within twenty-eight (28) days from the date on the notification, the appeal process will

begin. The individual will receive redacted documents regarding the incident that is being appealed. The individual will have fourteen (14) days to submit additional documentation. At the end of the fourteen-day period, the incident will be reviewed by the FACS Division Administrator and a decision will be rendered to either affirm, reverse, or modify, the decision to substantiate the incident of abuse, neglect, or abandonment. The Department will notify the individual of the FACS Division Administrator's decision by mail. If the administrative review affirms or modifies the decision to substantiate, failure to timely request a contested case appeal will result in the individual's name being entered on the Child Protection Central Registry without further right for appeal. (3-15-22)(4-17-24)T

043. Reversal of Decision to Substantiate. When the FACS Division Administrator completes the administrative review and reverses the decision to substantiate the incident of abuse, neglect, or abandonment, and determines that the incident is not substantiated, then no further action is required by the individual. The individual's name will not be placed on the Child Protection Central Registry. (3-15-22)

054. Contested Case Appeal. When the FACS Division Administrator completes the administrative review and affirms the decision to substantiate the incident of abuse, neglect, or abandonment, the individual will be notified by mail that ~~their name has been placed on the Child Protection Central Registry and~~ the individual has twenty-eight (28) days to continue the appeal process and will be informed of: (3-15-22)(4-17-24)T

- a. The basis for the Department's decision; (3-15-22)
- b. The procedures for filing a contested case appeal ~~under IDAPA 16.05.03, "Contested Case Proceedings and Declaratory Rulings," Section 101;~~ (3-15-22)(4-17-24)T
- c. The procedures for filing a petition for removal from the Child Protection Central Registry after the applicable minimum time has passed under Section 566 of these rules; ~~and~~ (3-15-22)(4-17-24)T
- d. The Department's contact information; ~~and~~ (3-15-22)(4-17-24)T
- e. That failure to respond at any point in the appeal process will end the appeal process and the individual's name will automatically be entered on the Child Protection Central Registry without further notice or right to appeal. (4-17-24)T

05. Child Protection Central Registry. Following a decision by the hearing officer to affirm the decision to substantiate, an individual's name will be placed on the Child Protection Central Registry. (4-17-24)T

565. ~~PETITION FOR REMOVAL OF AN INDIVIDUAL'S NAME ON THE CHILD PROTECTION CENTRAL REGISTRY PRIOR TO OCTOBER 1, 2007. (RESERVED)~~
~~After January 1, 2008, an individual whose name was placed on the Child Protection Central Registry prior to October 1, 2007, may file a petition to have their name removed from the registry in accordance with Subsection 566.01 of these rules. The petitioner will be assigned a child protection risk level in accordance with criteria under Section 563 of these rules and the case will be reviewed to determine if it meets the requirements for removal.~~ (3-15-22)

566. PETITION FOR REMOVAL OF AN INDIVIDUAL'S NAME FROM THE CHILD PROTECTION CENTRAL REGISTRY.
Any individual whose name is on the Child Protection Central Registry and whose required minimum time on the registry has elapsed, may petition the Department to remove their name from the Registry. If not previously assigned a risk level, the petitioner will be assigned a child protection risk level in accordance with the criteria under Section 563 of these rules. An individual whose name appears with a Level One designation on the Child Protection Central Registry is not eligible to petition for removal. (3-15-22)(4-17-24)T

01. Petition for Removal From the Child Protection Central Registry. Any individual whose name appears on the Child Protection Central Registry with a designation of either Level Two or Level Three, may petition to have their name removed from the Child Protection Central Registry after the minimum period of time has elapsed for the applicable level. The petition must include a written statement from the petitioner to the Department's FACS Division Administrator requesting that the petitioner's name be removed from the Child Protection Central Registry. (3-15-22)

02. Criteria for Granting Petition for Removal From the Child Protection Central Registry. The petition for removal from the Child Protection Central Registry will be granted if: (3-15-22)

a. There are no additional substantiated reports on the Child Protection Central Registry or that of other states in which the petitioner has resided since the last substantiated report of abuse, neglect, or abandonment in Idaho; and (3-15-22)

b. There are no convictions, adjudications, or withheld judgments for any of the crimes listed under Subsection 566.03 of this rule: (3-15-22)

i. On Idaho’s central repository of criminal history records as established and maintained by the Idaho State Police under Title 67, Chapter 30, Idaho Code; or (3-15-22)

ii. On the criminal history repository of other states in which the petitioner has resided since the last substantiated report of abuse, neglect, or abandonment in Idaho. (3-15-22)

03. Criminal History Checks. It is the responsibility of the petitioner to request, pay for, and obtain the criminal history checks and submit them to the Department. (3-15-22)

a. The Department will not remove a petitioner from the Child Protection Central Registry if a criminal history check reveals any of the following, within five (5) years of the receipt of the petition: (3-15-22)

i. Physical Assault; (3-15-22)

ii. Battery; or (3-15-22)

iii. A drug-related offense. (3-15-22)

b. The Department will not remove a petitioner from the Child Protection Central Registry if a criminal history check reveals any of the following: (3-15-22)

i. Child abuse or neglect; (3-15-22)

ii. Spousal abuse; (3-15-22)

iii. A crime against children, including child pornography; or (3-15-22)

iv. A crime involving violence, including rape, sexual assault, or homicide, but not including other physical assault or battery. (3-15-22)

04. Granting or Denying Removal From the Child Protection Central Registry. The Department will issue a letter granting or denying removal of the petitioner’s name from the Child Protection Central Registry within twenty-eight (28) days of receipt of the petition. (3-15-22)

05. Appeal of a Denial of Removal From the Child Protection Central Registry. The individual may appeal the denial of removal of their name from the Child Protection Central Registry under IDAPA 16.05.03, “Contested Cases Proceedings and Declaratory Ruling,” Section 101. (3-15-22)

IDAPA 21 – DIVISION OF VETERANS SERVICES
21.01.04 – RULES GOVERNING IDAHO STATE VETERANS CEMETERIES
DOCKET NO. 21-0104-2402 (FEE RULE)
NOTICE OF RULEMAKING – PROPOSED RULE

AUTHORITY: In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Sections 65-108 and 65-202, Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than June 19, 2024.

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

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

This proposed rule seeks to expand eligibility for interment at Idaho State Veterans Cemeteries to non-retiree Guard and Reservists who completed an enlistment of service honorably but are otherwise ineligible because they were never activated federally or did not complete enough service time to retire out of the Guard or Reserves.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased:

This rule will impose a fee on non-Veteran guard or reserve eligible for burial but ineligible for USDVA reimbursement equivalent to the USDVA reimbursement amount, as well as a \$400 fee for the cost of a casket/upright marker or \$250 for all other interment/memorial marker types. This fee is authorized under Section 65-202(8), Idaho Code.

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year resulting from this rulemaking:

The fiscal impact is minimal due to the small number of individuals eligible, and the cost being born by those individuals rather than the state.

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(2), Idaho Code, negotiated rulemaking was not conducted because it is prompted by a change to federal law.

INCORPORATION BY REFERENCE: Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule: N/A

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the proposed rule, contact Kevin Wallior, 208-780-1308.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before June 26, 2024.

DATED this 30th day of April 2024.

Kevin R. Wallior
Management Assistant
Idaho Division of Veterans Services
351 N. Collins Road
Boise, ID 83702
Ph: 208-780-1308; fax: 208-780-1301
Email: kevin.wallior@veterans.idaho.gov

THE FOLLOWING IS THE TEXT OF THE PROPOSED (FEE) RULE FOR DOCKET NO. 21-0104-2402
(Only Those Sections With Amendments Are Shown.)

000. LEGAL AUTHORITY.

~~The Idaho Legislature has given the Administrator of the Division of Veterans Services the authority to promulgate rules governing the Idaho State Veterans Cemetery pursuant to Section 65-202, Idaho Code. (3-23-22)()~~

(BREAK IN CONTINUITY OF SECTIONS)

~~**002. INCORPORATION BY REFERENCE.**~~

~~**01. Incorporated Documents.** These rules incorporate by reference the following: (3-23-22)~~

~~**a.** The full text of 38 CFR 38.620, dated July 1, 2001. (3-23-22)~~

~~**b.** 38 U.S.C.A. Section 2402, (2004 and Supp. 2004). (3-23-22)~~

~~**e.** 38 CFR 39.5(d), dated July 1, 2008. (3-23-22)~~

~~**02. Document Availability.** Copies are available from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402-0001. (3-23-22)~~

~~**003**~~ -- **009. (RESERVED)**

010. DEFINITIONS.

01. Administrator. The Administrator of the Idaho Division of Veterans Services or his designee. (3-23-22)

02. Applicant. The individual requesting interment, disinterment or reinterment of a qualified person. (3-23-22)

03. Armed Forces Member. A member or former member of the armed forces of the United States, the reserve component of the armed forces of the United States, the reserve officers training corps of the United States, or the armed forces of an ally of the United States who is eligible for burial in national cemeteries pursuant to 38 CFR 38.620 and 38 U.S.C. Section 2402. (3-23-22)

04. Cemetery. Idaho State Veterans Cemeteries authorized pursuant to Section 65-108, Idaho Code. (3-23-22)

05. Committal Service. A gathering of one (1) or more individuals prior to interment or reinterment. (3-23-22)

06. Cremains. Cremated human remains. (3-23-22)

~~**07. Designated Interpretive Trail.** A public recreational trail designated by a sign or marker. (3-23-22)~~

~~**08**~~ **7. Disinterment.** The removal of human remains from their place of interment. (3-23-22)

~~**09**~~ **8. Division.** The Idaho Division of Veterans Services. (3-23-22)

109. **Interment.** The disposition of human remains by burial or the placement of cremains in a grave plot or in any location designated by the Administrator for use as a permanent location of cremains. (3-23-22)

110. **Qualified Person.** A person who satisfies the requirements for eligibility for interment in national cemeteries found at 38 CFR 38.620 and 38 U.S.C. Section 2402 and is not prohibited from being interred by 38 CFR 39.10(b); or a member or former member of the reserve component of the armed forces of the United States; the reserve officers training corps of the United States; or members of the Army National Guard or Air National Guard who completed at least one (1) term of enlistment, or officers who completed at least four (4) years of service. (3-23-22)()

121. **Reinterment.** The interment of previously interred human remains. (3-23-22)

132. **Unremarried Spouse.** An individual who is the surviving spouse of a deceased armed forces member and who has not remarried. (3-23-22)

143. **USDVA.** The United States Department of Veterans Affairs. (3-23-22)

(BREAK IN CONTINUITY OF SECTIONS)

024. FEES FOR INTERMENT, DISINTERMENT, REINTERMENT, AND MEMORIAL.
The Administrator shall charge the following fees: (3-23-22)

01. Interment. (3-23-22)

a. A fee equal to the then current USDVA reimbursement for opening and closing an interment site containing a pre-placed crypt. The Administrator will accept, as full payment, the amount of reimbursement by the USDVA to the Division for opening and closing an interment site containing a pre-placed crypt for a qualified veteran persons eligible for USDVA reimbursement. (3-23-22)()

b. ~~In An~~ addition al to the fee charged under Paragraph 024.01.a. of this rule, the Administrator shall charge a fee of seven hundred dollars (\$700) for preparation of a casket burial at an interment site not containing a pre-placed crypt. (3-23-22)()

c. For interments ineligible for a USDVA provided marker, the Administrator shall charge: ()

i. \$400 for the cost of a Casket/Upright Marker; or ()

ii. \$250 for all other Interment/Memorial Marker types. ()

02. **Disinterment.** A fee equal to the then current USDVA reimbursement for opening and closing an interment site. The expenses of removal, transportation and reinterment of remains, and the expenses of removal, transportation and reinstallation of the grave marker, if any, shall be paid by the applicant for disinterment. (3-23-22)

03. **Reinterment.** A fee equal to the then current USDVA reimbursement for opening and closing an interment site for reinterment. The expenses of reinterment of remains and reinstallation of the grave marker, if any, shall be paid by the applicant for reinterment. (3-23-22)

04. **Memorial Marker.** A fee of two hundred fifty dollars (~~\$200~~250) to order, install, and provide perpetual care of a furnished flush granite marker to commemorate ~~an eligible deceased Veteran~~ a qualified person whose remains have not been recovered or identified, were buried at sea, donated to science, or cremated and the remains scattered. (3-23-22)()

(BREAK IN CONTINUITY OF SECTIONS)

040. MEMORIALS AND DONATIONS.

01. Flowers and Grave Decorations. The Administrator will post the requirements for natural and artificial flowers and other grave decorations in the cemetery. Cemetery personnel may remove and discard grave decorations that fail to comply with the posted requirements or that are faded, wilted, tattered or worn. (3-23-22)

02. Plaques, Statues, and Other Memorials. The Administrator may approve plaques, statues, and other memorials to commemorate events, units, individuals, groups, and organizations. Persons wishing to install such memorials at their own cost may submit an application on a form prescribed by the Administrator. Memorials approved by the Administrator are considered donations to the cemetery. (3-23-22)

03. Grave Markers. Grave markers issued by the USDVA are approved as follows: (3-23-22)

a. Graves – Upright granite markers. (3-23-22)

b. Interments in an area reserved for the interment of cremains in the soil – Flush granite markers. (3-23-22)

c. Interment of cremains in a structure reserved for the interment of cremains – Granite niche markers. (3-23-22)

~~**04. Donations and Gifts.** The Administrator may accept gifts and donations to the Veterans Cemetery Maintenance Fund established pursuant to Section 65-107, Idaho Code. (3-23-22)~~

IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES

24.02.01 – RULES OF THE STATE ATHLETIC COMMISSION

DOCKET NO. 24-0201-2401 (NEW CHAPTER, FEE RULE)

NOTICE OF RULEMAKING – ADOPTION OF TEMPORARY RULE

EFFECTIVE DATE: The effective date of the temporary rule is June 1, 2024.

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 54-406, Idaho Code, and 67-2604(1), Idaho Code.

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

During the 2023 Legislative Session, the Idaho Legislature did not hear the Idaho Athletic Commission's pending rules docket, therefore not approving the pending rules adopted by the board. Pursuant to state law, the rules expired upon sine die. These temporary rules reauthorize the expired provisions.

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

Protection of the public health, safety, or welfare.

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:

These rules include fees for initial licensure and renewals for professional combatants, amateur combatants, non-combatants, matchmakers, promoters, sanction permits, and ring officials. These fees have not changed from the previously effective rules.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning the temporary rule, contact Krissy Veseth at 208-577-2491.

DATED this 15th Day of May, 2024.

Russell Barron
Administrator
Division of Occupational and Professional Licenses
11341 W Chinden Blvd.
P.O. Box 83720
Boise, ID 83720
208-334-3233

THE FOLLOWING IS THE TEXT OF THE TEMPORARY (FEE) RULE FOR DOCKET NO. 24-0201-2401
(New Chapter)

24.02.01 – RULES OF THE STATE ATHLETIC COMMISSION

000. LEGAL AUTHORITY.

These rules are promulgated pursuant to Title 54, Chapter 4, Idaho Code. (6-1-24)T

001. SCOPE.

These rules are intended to provide clarification on the methods and restrictions of unarmed combat in Idaho. (6-1-24)T

002. INCORPORATION BY REFERENCE.

The following documents are incorporated by reference into these rules: (6-1-24)T

01. Association of Boxing Commissions and Combative Sports Unified Rules of Boxing Amended 2016. This document can be accessed online here: <https://www.abcboxing.com/unified-rules-boxing/>. (6-1-24)T

02. Association of Boxing Commissions and Combative Sports Unified Rules of Mixed Martial Arts as of 2019. This document can be accessed online here: <https://www.abcboxing.com/wp-content/uploads/2020/02/unified-rules-mma-2019.pdf>. (6-1-24)T

03. Athlete Guide to the 2020 Prohibited List. Published by the United States Anti-Doping Agency (USADA). Copyright date 2019. Referenced in Section 200. This document can be accessed online here: <https://www.usada.org/athletes/substances/prohibited-list/athlete-guide-to-the-2020-prohibited-list/>. (6-1-24)T

003. – 009. (RESERVED)

010. DEFINITIONS.

01. Combatant. Any boxer, kickboxer, martial artist, or wrestler who takes part as a competitor in an event. (6-1-24)T

02. Event. A program of one (1) or more unarmed combat contests or exhibitions. (6-1-24)T

a. An “amateur event” is an event in which the only combatants are amateur combatants. (6-1-24)T

b. A “professional event” is an event in which the only combatants are professional combatants. (6-1-24)T

c. A “pro-am” is an event in which combatants include professional combatants and amateur combatants. Professional combatants may not compete against amateur combatants in “pro-am” events. (6-1-24)T

03. Main Event. The headline or marquee contest or exhibition scheduled to occur at an event. (6-1-24)T

04. Mixed Martial Arts (MMA). A full contact sport that allows a wide variety of unarmed combat techniques from a mixture of martial arts traditions to be used in competitions. (6-1-24)T

05. Ticket. That document issued by the promoter allowing a person’s entrance and attendance at an event and may include that part of the ticket retained by the promoter documenting a person’s entrance to an event. (6-1-24)T

011. – 099. (RESERVED)

100. LICENSING.

01. Application for License. Applicants will submit a complete, Commission-approved application verified under oath, including the fee and any necessary supporting documentation to the Division for each of the following licenses: (6-1-24)T

- a. Combatant;** (6-1-24)T
- b. Promoter;** (6-1-24)T
- c. Matchmaker;** (6-1-24)T
- d. Manager;** (6-1-24)T
- e. Second, including a trainer;** (6-1-24)T
- f. Ring Official; or** (6-1-24)T
- g. Sanctioning permit for an event.** (6-1-24)T

101. COMBATANT.

01. Age of Combatant. The Commission will review all complete applications for a combatant license so that the applicant's experience and fitness may be considered before a license is issued, if the applicant has: (6-1-24)T

- a. Not reached eighteen (18) years of age; or** (6-1-24)T
- b. Reached thirty-six (36) years of age.** (6-1-24)T

02. Examination by Physician. Any combatant who has applied for a license or renewal of his license must be examined by a physician. The physician will establish the combatant's physical and mental fitness for competition. (6-1-24)T

a. Poor Vision. The Commission will not issue a license to engage in unarmed combat to any applicant who is found to be blind in one (1) eye or whose vision in one (1) eye is so poor that a physician recommends that no license be granted. No exceptions will be made. (6-1-24)T

b. Cerebral Hemorrhage. Any person who has suffered a cerebral hemorrhage will not be issued a license. (6-1-24)T

c. Serious Head Injuries. The Commission will review the application of any person who has suffered a serious head injury before a license is issued to that person. (6-1-24)T

03. Additional Examination. Any licensed combatant who participates in a contest outside of the state of Idaho, or in an unsanctioned contest will need to take this examination again before being allowed to compete in Idaho. (6-1-24)T

04. Blood Testing. The Commission will not issue a license to or allow an athlete to compete in an event, if the athlete, within the six (6) months immediately preceding the application for licensure or the event at which the licensee wishes to compete, has tested positive for the HIV virus, Hepatitis B Surface Antigen and Hepatitis C Antibody, or illegal drugs or other substances. Upon application for a license, the athlete will submit with the application a blood test report from a blood test conducted within the six (6) months preceding the application date. The blood test must have tested the athlete for HIV virus, Hepatitis B Surface Antigen, Hepatitis C Antibody,

and illegal drugs and substances. Additionally, each combatant who is to compete in an event will, at the start of the event, provide the Commission with a blood test report from a blood test conducted within the six (6) months immediately preceding the event. The Commission may, in its discretion, request addition blood tests. (6-1-24)T

05. Drug Abuse. The Commission will not issue a license to an athlete who has a recent history of drug abuse, without proof of participation in a recognized drug rehabilitation program and/or submission to urinalysis. (6-1-24)T

06. Blood Testing and Five Panel Drug Test Results. Results must show blood concentrate percentages. (6-1-24)T

102. ABILITY OF COMBATANT.

Before the Commission issues a combatant license to any person, the Commission must be satisfied of the person’s ability to compete. (6-1-24)T

01. Questioned Ability. If a combatant’s ability to perform is questioned for any reason, the Commission may hold a hearing to determine: (6-1-24)T

a. Whether the person’s license should be revoked; or (6-1-24)T

b. Whether the person should be granted a license. (6-1-24)T

103. HONORING ACTIONS OF REGULATORY AGENCIES IN OTHER JURISDICTIONS.

The Commission may honor the following actions of agencies in other jurisdictions which regulate boxing, wrestling, martial arts, or combination thereof: (6-1-24)T

01. Suspension. A suspension of a combatant ordered for: (6-1-24)T

a. Medical Safety. The following suspensions are a guideline for ringside physicians. A ringside physician may additionally require proof of medical clearance for release of suspension:

Technical Knockout (TKO) Occurrence	Loss of Consciousness	Suspension
1	None	30 Days
1	Less than one minute	90 Days
1	Greater than one minute	180 Days
2 in 90 days	None	90 Days
2 in 90 days	Less than one minute	180 Days
2 in 90 days	Greater than one minute	360 Days
3 in 365 days	None	12 Months
3 in 365 days	Regardless of time	18 Months

(6-1-24)T

b. A violation of a law or rule governing boxing, wrestling, martial arts, or combination thereof which also exists in this state; or (6-1-24)T

c. Any other conduct which discredits boxing, wrestling, martial arts, or combination thereof as determined by the Commission. (6-1-24)T

104. TIME BETWEEN CONTESTS.

In no case may a combatant (excluding wrestlers) participate in more than one (1) contest or exhibition in any twenty-

four (24) hour period. Without the special permission of the Commission, a combatant may not compete in this state until after time has elapsed in the following increments:

Number of Rounds for Contest	Days Elapsed Since Last Contest to Compete Again
<u>Not More than Four (4) Rounds</u>	<u>Four (4) Days</u>
<u>Five (5) or Six (6) Rounds</u>	<u>Seven (7) Days</u>
<u>Seven (7) or Eight (8) Rounds</u>	<u>Fourteen (14) Days</u>
<u>Nine (9) or Ten (10) Rounds</u>	<u>Twenty-one (21) Days</u>
<u>Eleven (11) or Twelve (12) Rounds</u>	<u>Forty-Five (45) Days</u>

(6-1-24)T

105. FEMALE COMBATANTS.

01. Limitation. A female combatant will not engage in a contest with a male combatant. (6-1-24)T

02. General Requirements. In addition to meeting such requirements of this chapter as are applicable to combatants generally, a female applicant will submit to pregnancy test within fourteen (14) days of the contest.

(6-1-24)T

03. Addendum Requirement. A female combatant will, in addition to signing the contract, sign an addendum certifying that the combatant is not pregnant and that the contest will not take place during a menstrual period.

(6-1-24)T

106. REQUIREMENTS FOR LICENSE AS A PROMOTER.

Any person applying for a license as a promoter may need to appear before the Commission and prove their preparations to successfully promote a sanctioned event and pay all obligations.

(6-1-24)T

107. HEALTH INSURANCE.

An event promoter will obtain health insurance sufficient to cover the medical, surgical, and hospital care of all event participants, other than the promoter, for injuries sustained while participating in the event. The insurance shall provide primary coverage for each such participant, and the minimum amount coverage per participant will be ten thousand dollars (\$10,000). The participant may not be required to pay a deductible associated with care provided under this insurance. If a participant pays for the medical, surgical or hospital care, the insurance proceeds must be paid to the participant or the participant's beneficiaries for reimbursement for the payment.

(6-1-24)T

108. SURETY BOND OR OTHER SECURITY.

01. Requirement. Every promoter who applies for a sanctioning permit shall furnish a surety bond or other form of financial security to the Commission consistent with Section 54-408, Idaho Code. The bond or other form of financial security will be in an amount deemed by the Commission to be adequate to guarantee payment of all taxes, fees, fines, and other moneys due and payable under Title 54, Chapter 4, Idaho Code and the Commission's rules, including reimbursement to the purchasers of tickets for the event.

(6-1-24)T

02. Various Locations. The promoter may apply one (1) bond or other form of financial security to multiple locations if only one (1) of the covered locations is scheduled for an event on any given calendar date.

(6-1-24)T

03. Total Sum. Each bond or other form of financial security must be conditioned for the payment to the Commission of a sum equivalent to the total sale of tickets:

(6-1-24)T

a. If the main event is not held on the date advertised, unless the event is subsequently held on a date fixed by the Commission; and

(6-1-24)T

b. If the main event is neither held on the original date advertised nor on a subsequent date fixed by the Commission. (6-1-24)T

04. Sum Due. The sum is due within fifteen (15) days after default, to ensure reimbursement to the purchasers of tickets for the event, if the reimbursement of ticket holders is ordered by the Commission. (6-1-24)T

109. APPROVAL OF SANCTIONED EVENT PERMITS.

01. Prior Approval. No contest will be held without the prior approval of the Commission. A promoter will submit a completed application on a form provided by the Division for a sanctioning permit to hold an event on a specific date, and a permit must be issued by the Commission before the event may be announced or advertised. (6-1-24)T

02. Deadline. A complete application together with application fees, applicable bond amount, proof of insurance, and information regarding the combatants named in the main and semi-main contest must be received by the Commission no less than thirty (30) days prior to the date requested for the event named in the application. Combatants named in contests may be changed at the discretion of the Commission. (6-1-24)T

03. Cancellation. The failure of the promoter to notify the Commission of a cancellation at least seven (7) calendar days before the date for the program will result in the forfeiture of all fees and will be grounds for disciplinary action. (6-1-24)T

110. ARRANGEMENT OF CONTEST FOR PROMOTER.

A Contest may not be arranged on behalf of a promoter except by a licensed matchmaker. (6-1-24)T

111. NON-COMBATANT LICENSES.

No person will be retained for any of the following positions unless currently licensed by the Commission: (6-1-24)T

01. Second. (6-1-24)T

02. Combatant. (6-1-24)T

03. Matchmaker. (6-1-24)T

04. Ring Official. (6-1-24)T

112. MANAGER ACTING AS SECOND.

A manager licensed by the Commission may act as a second without having a second's license. (6-1-24)T

113. REQUIREMENTS FOR LICENSE AS A RING OFFICIAL.

Ring official is any individual who performs an official function during the progress of a regulated contest or exhibition including, but not limited to, timekeepers, judges, referees and attending physicians. (6-1-24)T

01. Qualifications. To qualify for a license as a ring official of contests, an applicant will: (6-1-24)T

a. Be at least twenty-one (21) years of age. The Commission may, for good cause shown, lower the minimum age limit for a particular applicant to eighteen (18) years of age; (6-1-24)T

b. Submit a record of conviction of a crime for Commission review in compliance with Section 67-9411, Idaho Code; (6-1-24)T

c. Have had at least one (1) year experience in amateur or professional contest as a ring official; (6-1-24)T

d. Submit verifications from two (2) persons of proficiency as a ring official; and (6-1-24)T

e. Each referee licensed by the Commission will be required to undergo an eye examination

conducted by an optometrist or ophthalmologist. The Commission may request the licensee to produce all records of the examination. The Commission may require each referee license by the Commission to submit to a pre-fight physical. (6-1-24)T

02. **Equivalent Qualifications.** In lieu of the above qualifications, the Commission may accept satisfactory evidence of equivalent qualifications possessed by an applicant who is currently licensed in another state or country. (6-1-24)T

114. OFFICIALS OF EVENTS.

01. **Officials Described.** The officials of events are the referee, judges, timekeeper, physician, and the Commission's agents. (6-1-24)T

02. **Commission Involvement.** The Commission will approve and assign all the officials. The promoter may select the announcer, subject to the Commission's approval. (6-1-24)T

115. REFEREES.

01. **Selection.** The Commission will select the referee for the main event in championship events and for events that the Commission considers to be special events. The Commission will set the fee and reasonable expenses the referee is entitled to receive for an event. (6-1-24)T

02. **Protests.** If any licensee of the Commission protests the assignment of a referee, the protesting licensee will be given a hearing by the Commission if time permits. If time does not permit, the matter will be heard by two (2) Commissioners in order to make such disposition of the protest as the facts may justify. Protests not made in a timely manner may be summarily rejected. (6-1-24)T

116. JUDGES.

01. **Selection.** The Commission will select the judges for the main event in championship events and for any other events which the Commission considers to be special events. (6-1-24)T

02. **Protests.** If any licensee of the Commission protests the assignment of a judge, the protesting license will be given a hearing by the Commission if time permits. If time does not permit, the matter will be heard by two (2) Commissioners in order to make such disposition of the protest as the facts may justify. Protests not made in a timely manner may be summarily rejected. (6-1-24)T

03. **Fees.** The Commission will set the fee and reasonable expenses which the judges are entitled to receive for an event. (6-1-24)T

04. **Station of Judges.** Judges will be stationed ringside at places designated by the Commission. (6-1-24)T

05. **Physical Examination.** Each judge licensed by the Commission may be required to submit to or provide proof of a complete physical examination, including an eye examination. (6-1-24)T

117. DENIAL OR REVOCATION OF LICENSE.

01. **Grounds.** The Commission may deny an application or suspend or revoke a license, or take such other disciplinary action deemed appropriate if it finds that the applicant or licensee or any partner, officer, director, stockholder, or employee of the applicant or licensee has: (6-1-24)T

a. Performed any act which constitutes a violation of the laws or rules of the Commission. (6-1-24)T

b. Has been convicted of a felony relevant to licensure with the Commission; (6-1-24)T

c. Engages in illegal bookmaking; (6-1-24)T

- d. Engages in any illegal gambling activity; (6-1-24)T
- e. Engages in any fraud or misrepresentation in the application process; (6-1-24)T
- f. Has a recent history of drug abuse or fails a drug test or refuses to submit to a drug test; (6-1-24)T
- g. Is under suspension from any other commission; (6-1-24)T
- h. Failure to report to the Commission a request or suggestion that a contest not be conducted honestly; or (6-1-24)T
- i. Is engaged in any activity or practice which is detrimental to the best interests of a contest regulated by the Commission. (6-1-24)T

118. PENALTIES FOR CERTAIN VIOLATIONS – REVIEW BY COMMISSION.

01. Penalties General. Except as otherwise provided in this chapter, the Commission may charge a penalty not to exceed twenty-five thousand dollars (\$25,000) for: (6-1-24)T

a. Any violation of the provisions of these rules (IDAPA 24.02.01, “Rules of the State Athletic Commission”); or (6-1-24)T

b. Being late or failing to appear for a weigh-in or contest. (6-1-24)T

02. Later Review. Any disciplinary action taken pursuant to these rules may be reviewed at a later date by the Commission. (6-1-24)T

119. SUSPENSION AND REVOCATION OF LICENSES.

Every person whose license has been suspended or revoked by the Commission will refrain from participating in or matchmaking or holding contests during the period of suspension or after the revocation. (6-1-24)T

01. Comply with Suspensions. Every promoter and matchmaker will take notice of the bulletins of suspension sent out by the Commission and will not permit any person under suspension to take any part as a participant or in arranging or conducting matches or exhibitions during the period of suspension. (6-1-24)T

02. Specific Actions. Any person whose license has been suspended or revoked is barred from: (6-1-24)T

a. The dressing rooms at the premises where any program of boxing is being held; (6-1-24)T

b. Occupying any seat within six (6) rows of the ring platform; (6-1-24)T

c. Approaching within six (6) rows of seats from the ring platform; and (6-1-24)T

d. Communicating in the arena or near the dressing rooms with any of the principals in the contests, their managers, their seconds, or the referee, whether directly or by a messenger, during any program. (6-1-24)T

e. Having any dealings related to mixed martial arts, boxing, or wrestling with any person whose license had been suspended or revoked by the Commission. (6-1-24)T

f. Any person who violates a provision of Subsection 120.02 of this rule may be ejected from the arena or building where the program is being held, and the price paid for admission refunded upon presentation of the ticket stub at the box office. Thereafter, they are barred entirely from all premises used for contests or exhibitions while the programs are being held. (6-1-24)T

03. Dishonest Methods. If a license issued by the Commission has been suspended because the holder

used dishonest methods to affect the outcome of any contest or because of any conduct reflecting serious discredit upon the sport of boxing, the Commission will not reinstate the license for six (6) months in the case of first offense. In the case of a second offense, the holder’s license will be revoked. (6-1-24)T

04. Temporary Suspension. Any manager under temporary suspension is considered to have forfeited all rights in this state under the terms of any contract with a combatant licensed by the Commission. Any attempt by a suspended manager to exercise those contract rights will result in a permanent suspension of their license. A combatant, matchmaker, or promoter who continues to engage in any contractual relations with a manager whose license has been suspended by the Commission may be indefinitely suspended. (6-1-24)T

05. Continuation. A combatant whose manager has been suspended may continue to compete independently during the term of that suspension, signing contracts for matches. Payment of a combatant’s earnings may not be made by any promoter to a manager who is under suspension, or to a suspended manager’s agent, but will be paid in full to the combatant. (6-1-24)T

06. Cancellation of Contract Rights. Revocation of a manager’s license automatically cancels all contract rights in this state under any contracts with combatants made under the authority of the Commission. If such a revocation occurs, a combatant may operate independently and make contracts for matches or enter into contracts with other managers licensed by the Commission. (6-1-24)T

120. FEES.

FEE TYPE	AMOUNT (Not to Exceed)	RENEWAL (Not to Exceed)
Professional Combatant	\$150.00	\$150.00
Amateur Combatant	\$100.00	\$100.00
Non-combatant	\$150.00	\$150.00
Matchmaker	\$250.00	\$250.00
Promoter	\$1,000.00	\$750.00
Sanction permit	\$200.00	\$200.00
Ring official	\$150.00	\$150.00

(6-1-24)T

121. – 199. (RESERVED)

200. PHYSICIAN QUALIFICATIONS.

A physician is an individual licensed under the laws of this state to engage in the general practice of medicine or osteopathic medicine. A physician will also have training or experience in combative sports. (6-1-24)T

201. PHYSICIAN'S DETERMINATION OF FITNESS OF COMBATANTS AND REFEREE – CERTIFICATION – REPORT.

01. Determination of Physician. The physician who examines any combatant or referee who has contracted to participate in an event will determine that a combatant or referee will not participate in the event and must immediately report such finding to the promoter and the Commission if: (6-1-24)T

a. The combatant is unfit for competition; or (6-1-24)T

b. The referee is unfit for officiating. (6-1-24)T

02. Written Certification. If the examining physician finds that the combatants and referees are in

good physical condition, the physician will, one (1) hour before the start of the event, give written certification of those findings to the Commission. (6-1-24)T

03. Physician's Written Report. Within twenty-four (24) hours after the event ends, the physician will mail or deliver to the Commission his written report on every licensee he examined. The report will be on a form furnished by the Commission. (6-1-24)T

202. COMBATANT'S REPORT OF OWN ILLNESS OR INJURY – EXAMINATION – FEE.

01. Combatant's Report of Non-Participation to Commission. When a licensed combatant is unable to take part in a contest for which they are under contract because of injury or illness, they will immediately report the fact to the Commission and submit to an examination by a physician designated by the Commission. (6-1-24)T

02. Payment of Fees to Physician. The fee for the physician's examination will be paid by the promoter if they have requested the examination, otherwise the fee will be paid by the combatant. (6-1-24)T

203. SUSPENSION OF LICENSEE FOR MEDICAL REASON.

Any licensee who is determined to be unfit to compete or officiate will be suspended until it is shown that he is fit for further competition or officiating. (6-1-24)T

204. PREPARATIONS TO STOP HEMORRHAGING.

The Commission will periodically review the preparations available to stop hemorrhaging. Avetine and Thrombin are the only Commission approved preparations to stop hemorrhaging. (6-1-24)T

205. PROHIBITED SUBSTANCES.

The Commission adopts the Athletes Guide to the 2020 Prohibited List published by the United States Anti-Doping Agency © 2019. Prohibited substances are regulated by Commission in the following manor: (6-1-24)T

01. Urinalysis. A combatant will submit to a urinalysis or chemical test before or after a contest if the Commission directs him to do so. (6-1-24)T

02. Suspension. A Combatant who tests positive for a prohibited substance in quantities prohibited by the incorporated document will forfeit purse. (6-1-24)T

03. Procedure for Testing for Prohibited Substance(s). (6-1-24)T

a. The Commission reserves the right to conduct random drug testing. A combatant with a recent history of drug abuse may be specifically required to test. Both combatants in a title contest will be tested by urine specimen or blood test at the discretion of the Commission. (6-1-24)T

b. The combatant to be tested shall go directly to the dressing room after the end of the fight. Only water may be consumed until the test sample has been taken. The Commission's approved physician or agent will give each combatant the specimen container and observe the combatant give the specimen into the container. The container will be sealed and labeled by the physician or agent. The Chain of Custody Form is signed by the combatant, or manager, and the physician or agent will also sign and date the form. The physician or agent will transport the sample to the testing laboratory as selected by the Commission. Any other person taking custody of the sample will sign and date The Chain of Custody Form. After completion of the test, the Chain of Custody Form will be returned to the Commission with the test results. (6-1-24)T

206. CONTRACT BETWEEN MANAGER AND COMBATANT.

01. Contractual Obligations. The Commission may refuse to honor a contract between a manager and combatant unless it complies with the requirements Section 206 of this rule. A contract between a manager and a combatant will be for a term of not more than four (4) years. Such a contract may contain an option which permits the manager, at the expiration of the initial term, to renew the contract for an additional period of not more than two (2) years. (6-1-24)T

02. After Contract Services. A manager may not contract to receive the services of a combatant under their management for a match scheduled to take place after the expiration of the contract. (6-1-24)T

03. Options. A contract between a combatant and a manager may provide for voluntary binding arbitration of disputes by the Commission. If so agreed, the arbitration will be conducted by a member of the Commission mutually agreed upon by the two (2) parties or, if there is no agreement, by a member of the Commission appointed by the chairman. The arbitration will be conducted pursuant to generally accepted arbitration standards. (6-1-24)T

04. Contract Approval. The Commission may approve a contract entered into in another jurisdiction by a person who is not a resident of Idaho if the terms of the contract comply with the requirements of this section. If the terms of the contract exceed the limitations contained in this section, the Commission may honor the contract to the extent of those limitations. (6-1-24)T

05. Manager Limitations. A manager may not negotiate or sign for matches for a combatant who is not under contract to him. Any combatant who does not have a contract with a licensed manager must sign for his own contest and sign the receipt for his own purse. A manager or managers may not participate separately or collectively in more than thirty-three and one-third percent (33 1/3%) of the combatant's earnings in the ring. (6-1-24)T

06. Manager Responsibilities. If a manager signs only for a combatant's appearance at a contest, a copy of the manager's authorization to negotiate and sign for the combatant must accompany the contract which they concluded with the promoter. If the manager does not send a copy of his authorization, the Commission may deny any application received from the combatant or manager pending a hearing before the Commission. (6-1-24)T

207. MANAGER'S ADVANCES – ACCOUNTING.

Any manager who advances or lends any money to any combatant or incurs indebtedness on behalf of a combatant will furnish an accounting in writing to the combatant every ninety (90) days. The accounting will be verified by the manager and set forth each item of indebtedness owed by the combatant, the date that the indebtedness occurred, the purpose of the indebtedness, and the name of the person to whom the debt is owed. (6-1-24)T

208. CONTRACT BETWEEN PROMOTER AND COMBATANT.

01. Gate Receipts. A promoter may not deduct any amount from the gate receipts, other than for any federal taxes and the fees prescribed herein until all combatants who are to be paid a percentage of the receipts have been paid, unless the amount to be paid to the combatant is specified in the contract. (6-1-24)T

02. Contract Prohibitions. A contract which provides that a combatant fight exclusively for or at the option of one (1) promoter or that a combatant is to pay for the services of an opponent is prohibited. (6-1-24)T

209. COMBATANT NOT TO HAVE PROMOTER OR CERTAIN OTHERS ACT AS MANAGER OR HOLD FINANCIAL INTEREST.

A combatant may not have a promoter or any of its members, stockholders, officials, matchmakers or assistant matchmakers act directly or indirectly as manager, or hold any financial interest in the management of the combatant's earnings. (6-1-24)T

210. FILING CERTAIN CONTRACTS WITH COMMISSION.

01. Main and Semi-Main Events. A contract between a promoter and a combatant for the main and semi-main events of a program will be filed with the Commission at least seven (7) working days before the event unless the Commission gives special approval for filing the contract closer to the time of weighing in. (6-1-24)T

02. Other Combatants. Contracts for all combatants who will be contending in the program will be filed before the scheduled time for weighing in. (6-1-24)T

03. Disciplinary Action. A promoter or matchmaker who fails to file a contract for any participant whose name is released to the news media is subject to disciplinary action. (6-1-24)T

04. Media Contracts. Any contract by the promoter for the sale, lease, or other use of rights to broadcast, televise including a right to make a closed-circuit telecast, or take motion pictures of a contest will be filed with the Commission at least five (5) working days before the event unless the promoter obtains special approval from the Commission for filing the contract at a time closer to the event. (6-1-24)T

211. PERCENTAGE OF GATE RECEIPTS TO COMBATANT.

Each combatant working on a percentage basis will be paid on the basis of the net receipts of each exhibition after state and federal taxes, ring expenses, and the price of complimentary tickets upon which a price is specified, have been deducted. (6-1-24)T

212. PROMOTER'S ADVANCES TO COMBATANT OR MANAGER OR OCCURRENCE OF DEBT ON HIS BEHALF.

01. Restrictions. A promoter licensed by the Commission will not directly or indirectly make any loan or advance to any combatant or manager. (6-1-24)T

02. Any Indebtedness Restricted. A promoter will not, directly or indirectly, create any indebtedness which becomes the obligation of a combatant or manager unless the promoter has the express written permission of the Commission for that action. (6-1-24)T

213. FAILURE OF COMBATANT TO APPEAR.

Any combatant who fails to appear in an event in which the combatant signed a contract to appear, without a written excuse determined to be valid by the Commission or a certificate from a physician designated by the Commission in advance in case of physical disability, is subject to disciplinary action. Any combatant who files a certificate from a physician designated by the Commission stating that he is unable to fulfill a contract because of physical disability must, on being restored to the eligible list, fulfill his contract with the same opponent or a suitable substitute specified in the contract within a reasonable time, that period to be set by the Commission, unless the combatant is released from the contract by mutual agreement. (6-1-24)T

214. PAYMENT OF COMBATANT.

01. Payment in Full. Every combatant will be paid in full according to the combatant's contract, and no part of the combatant's remuneration may be withheld except by order of the Commission, nor may any part of the combatant's remuneration be returned through arrangement with the combatant's manager to any matchmaker or promoter, except as otherwise provided in this section. (6-1-24)T

02. Prior Written Commitments. With the prior written permission of a member of the Commission, a promoter may withhold from the purse of a combatant money advanced to the combatant for transportation and maintenance in preparation for a contest, if their agreement so provides. (6-1-24)T

03. Manager's Share. A manager's share of the purse may be deducted and paid directly to the manager if the contract so specifies. (6-1-24)T

04. Pending Action. If arbitration of a contract entered into by a manager and combatant is pending before the Commission or if the contract is in litigation in a court of competent jurisdiction, the Commission may: (6-1-24)T

a. Withhold the amount in dispute in the Commission's trust fund until resolution of the dispute; or (6-1-24)T

b. Pay the disputed amount to the clerk of the court in which the litigation is pending. (6-1-24)T

05. Prior Approval of Commission. Neither a combatant nor his manager may assign their share of the purse, or any portion thereof, without the approval of the Commission. If a combatant or manager wants to assign their share of the purse, they must file a written request with the Commission at least seven (7) working days before the contest. (6-1-24)T

215. PAYMENT OF PURSE.

- 01. Payment Made.** All payment of purses will be made: (6-1-24)T
- a. Immediately after the contest or exhibition; or** (6-1-24)T
- b. If the combatant is to receive a percentage of the net receipts, immediately after that percentage is determined by a person designated by the Commission, unless otherwise ordered by the Commission.** (6-1-24)T
- 02. Signatures.** Immediately after the contest or exhibition, the Commission designated person will release the checks or cash to the entitled persons and will obtain their signatures on a list in which they acknowledge the payment. (6-1-24)T
- 03. Reconciliation.** The promoter may withhold an amount of not more than ten percent (10%) of the purse for payment of expenses incurred by the combatant. A reconciliation of those expenses and payment of the undistributed portion of the purse will be made to the Commission on the Commission's form within seven (7) working days after the contest. The reconciliation must bear written approval of the combatant before it is submitted. If good cause is shown, the chairman of the Commission may grant an extension of the date for reconciliation for a period not to exceed thirty (30) days after the contest. (6-1-24)T
- 04. Alternative Payment.** The Commission may permit a form of payment other than those specified in this section. A promoter who wishes to pay the purse by an alternative method of payment will: (6-1-24)T
- a. Submit a written request to the Commission at least thirty (30) days before the contest.** (6-1-24)T
- b. Describe in detail the alternative method of payment contemplated.** (6-1-24)T
- c. Show good cause for a waiver of the provisions as outlined in Section 215 of this rule.** (6-1-24)T
- d. Comply with all requirements of the Commission regarding the production of relevant information.** (6-1-24)T
- e. Follow the procedural directives of the Commission if the request is granted.** (6-1-24)T
- 05. Non-Payment of Amateurs.** Consistent with Section 54-402, Idaho Code, a promoter may not compensate any amateur for participating in or being associated in any way with the promoter's event. This ban absolutely bars a promoter from paying an amateur to sell tickets or merchandise or provide services related to an event. (6-1-24)T

216. RETAINING PORTION OF PURSE PENDING DETERMINATION OF WHETHER PENALTY WILL BE CHARGED.

At any time before the award of a purse to a combatant, the Commission may specify any amount not to exceed twenty-five thousand dollars (\$25,000) to be retained from the combatant's purse and transferred from the promoter to the Commission. The money will not be given to the combatant until the Commission determines that no penalty in lieu of revoking the combatant's license will be charged for any action or condition of the combatant. Any amount so specified is not a limitation upon the amount of a penalty which may be charged. (6-1-24)T

217. – 298. (RESERVED)

299. CHANGES TO MAIN AND SEMI-MAIN EVENTS.

- 01. Notice.** The promoter must request Commission approval of any change in an announced or advertised program for the main and semi-main events at least one (1) week before the event. Notice of any change or substitution must also be conspicuously posted at the box office of the premises where the program is to be held and announced from the ring before the opening contest. (6-1-24)T

02. Refunds. If such change to the main or semi-main events occur and any patron desires a refund of the ticket price, the promoter will provide a refund upon presentation of the ticket or the ticket stub at the box office before the event is scheduled to begin. The box office must remain open a reasonable length of time to redeem such tickets. (6-1-24)T

03. Substitutions. A combatant may not substitute for another combatant in a contest which is the main and semi-main events unless the Commission approves the substitution. (6-1-24)T

300. PROGRAM FOR CHARITY.

01. Application. A person who wishes to present a program or event under the jurisdiction of the Commission for charitable purposes will submit a sanction application to present the program. The application will contain the name of the charity, charitable fund or organization which is to benefit from the program and the amount or percentage of the receipts of the program to be paid to the charity. (6-1-24)T

02. Certified, Itemized Statement. Within seventy-two (72) hours after such a program is held, the promoter will furnish to the Commission a certified itemized statement of the receipts and expenditures in connection with the program and the net amount paid to the charitable fund or organization. If the promoter fails to file the statement within the prescribed time, the Commission: (6-1-24)T

a. May suspend or revoke the promoter's license; and (6-1-24)T

b. May prohibit the promoter from holding any program for charitable purposes. (6-1-24)T

301. BEVERAGE CONTAINERS.

All drinks at an event will be dispensed in paper or plastic cups. (6-1-24)T

302. – 399. (RESERVED)

400. ADMISSION FEE AT QUARTERS WHERE COMBATANT TRAINS.

01. Fee. An admission fee may not be charged to enter the quarters where a combatant is training unless the Commission has authorized the charging of admission. Where such an admission fee is charged, the Commission will consider the charge to be for the privilege of seeing an exhibition. (6-1-24)T

02. State Fee. The state fee on those gross receipts, exclusive of any federal taxes paid thereon, will be sent to the Commission with the report. (6-1-24)T

401. TICKETS LIMITED TO SEATING CAPACITY OF ARENA.

The sale of tickets for an event may not exceed the seating capacity of an indoor arena and no ticket may be issued for standing room. A person may not be sold the right of admission without a ticket. (6-1-24)T

402. TICKETS.

01. Inventory. The ticket outlet shall report to the Commission an inventory, which they affirm under oath to be correct, of all the tickets issued. (6-1-24)T

02. Notification. The promoter will notify the ticket outlet of the requirements of this section. (6-1-24)T

403. CONTENTS OF TICKETS.

01. General. Every ticket will have the price, name of the promoter, and date of the program plainly on it. (6-1-24)T

02. Changes. Requests for changes in ticket prices or dates of programs will be made in writing to the Commission for approval. (6-1-24)T

03. License to Sell. Tickets may not be sold by any person except through an agency holding a license to sell the tickets unless the sale is first approved by the Commission. (6-1-24)T

404. COMPLIMENTARY TICKETS.

01. Limitation. A promoter may not issue complimentary tickets for more than two percent (2%) of the seats in the arena without the Commission's written authorization. Complimentary tickets authorized under this section do not constitute part of the total gross receipts from admission fees for the purposes of calculating the Commission taxes. (6-1-24)T

02. More Than Two Percent Issued. If complimentary tickets are issued for more than two percent (2%) of the tickets sold: (6-1-24)T

a. Each combatant who is working on a percentage will be paid their percentage of the normal price of all complimentary tickets in excess of two percent (2%) of the tickets sold unless the contract between the combatant and the promoter provides otherwise and stipulates the number of complimentary tickets which will be issued; and (6-1-24)T

b. If a service charge is made for complimentary tickets, the combatant is entitled to be paid their percentage of that service charge, less any deduction for federal taxes and fees. (6-1-24)T

405. PROVISIONS OF TICKETS WITHOUT CHARGE OR AT REDUCED RATES.

01. No Fees. Persons who receive tickets pursuant to this section are not liable for the payment of any fees for those tickets. (6-1-24)T

02. Optional Charges. Each promoter may provide tickets without charge or at a reduced rate to: (6-1-24)T

a. Any employees, and if the promoter is a corporation, to a director or officer, who is regularly employed or engaged in promoting such programs, whether or not their duties require them to be admitted to the particular program and whether or not he is on duty at the time of that program; (6-1-24)T

b. A journalist performing their duties as such; and (6-1-24)T

c. A fireman or police officer performing their duties as such. (6-1-24)T

03. Duties Required. Each promoter will perform the following duties in relation to the issuance of complimentary tickets issued: (6-1-24)T

a. Each ticket issued to a journalist will be clearly marked "PRESS." No more tickets may be issued to journalists than will permit comfortable seating in the press area. (6-1-24)T

b. The promoter may allocate seats for the media, subject to the Commission's final approval of the allocation. Seating at the press tables or in the press area will be limited to journalists who are actually covering the contest and to other persons designated by the Commission. (6-1-24)T

c. A list of passes issued to journalists must be submitted to the Commission. (6-1-24)T

d. Only one (1) complimentary ticket may be issued to any one (1) manager, second, combatant, or other person licensed by the Commission. (6-1-24)T

e. The Commission will approve in advance any credential issued by the promoter which allows an admission to the event without a ticket. Requests for the issuance of such credentials must be made at least five (5) hours before the first contest on the program. (6-1-24)T

04. Admission Criteria. Admission of any person who does not hold a ticket or who is not specifically exempted pursuant to this section is grounds for suspension or revocation of the promoter's license or the assessment of a penalty. (6-1-24)T

05. Fees. The Commission will collect all fees and taxes due on any ticket which is not specifically exempt pursuant to this section, and for any person who is admitted without a ticket in violation of this section. (6-1-24)T

406. SPECULATION IN TICKETS PROHIBITED.

01. Prevent Speculation. A promoter who holds programs or events under the jurisdiction of the Commission shall exercise extraordinary caution to prevent speculation in tickets. (6-1-24)T

02. No Other Price. The promoter may not sell any tickets for a price other than the price printed thereon. (6-1-24)T

a. The promoter may not, without the Commission's written permission, change the price of tickets at any time after they have been placed on sale or sell them at any time during the program for a different price than tickets for the same seats were offered or sold before the program commenced. (6-1-24)T

b. Any ticket sold for other than the price printed on the ticket will be over stamped with the actual price charged. The over stamp must be placed on the printed face of the ticket as well as the stub retained by the holder of the ticket. (6-1-24)T

03. Exchange. A person may only exchange tickets at the box office. A ticket may not be redeemed after the show has taken place. Tickets that have not sold will be returned to the box office not later than one (1) hour before the show is scheduled to begin. (6-1-24)T

04. Removal and Possession of Stub. A holder of a ticket for a program or event will not be allowed: (6-1-24)T

a. To pass through the gate of the premises where the program is being held unless their ticket has been redeemed. (6-1-24)T

b. To occupy a seat unless in possession of proof of purchase of a ticket for that seat. (6-1-24)T

05. Tickets for Readmission. A promoter may not issue a ticket to any person for the purpose of readmission due to leaving the arena and later reentering the arena, unless the promoter has obtained the Commission's written permission for such an issuance. (6-1-24)T

407. – 414. (RESERVED)

415. TICKETS – REMOVAL AND RETENTION AFTER MATCH – DESTRUCTION.

After the tickets and stubs have been held for at least fifteen (15) days by the Commission, the Commission will destroy them. If the tickets are not taken by the Commission, they must be retained by the promoters for at least six (6) months. Those tickets may be destroyed after they have been held for at least thirty (30) days and written permission has been granted by the Commission for the destruction of such tickets. Tickets need to be kept in separate packages for each show so that the Commission may, at any time, conduct an audit. (6-1-24)T

416. – 499. (RESERVED)

500. ADMISSION OF LICENSEES AND AGENTS TO EVENTS.

The promoter of any event under the jurisdiction of the Commission will admit the following to said event without a ticket: (6-1-24)T

01. Participants. Any individual who is licensed by the Commission and who has been authorized by the Commission to participate in said event upon such individual's presentation of a current and valid license issued

by the Commission. (6-1-24)T

02. Commissioner or Agent. The Athletic Commissioner, any Deputy Commissioner, and any agent of the Division upon presentation of valid identification that identifies the holder as a member of the Commission or an agent of the Division. (6-1-24)T

501. PAYMENT OF FEE TO OFFICIAL DESIGNATED BY COMMISSION.

A promoter will pay the fee and reasonable expenses set by the Commission to any person directed by the Commission to officiate in an event promoted by that promoter. (6-1-24)T

502. POSTPONEMENT OF PROGRAM.

01. Prior Approval. A promoter may only postpone a sanctioned event with approval from the Commission. (6-1-24)T

02. No Fault Postponement. If a postponement of a sanctioned event becomes necessary through no fault of the promoter, the Commission will grant an extension of the contracts and set a new date. (6-1-24)T

03. Limitations on Postponement. A small advance sale is not a legitimate reason for postponement. Indoor boxing and wrestling programs may not be called off or canceled on account of storms or for any other reason not expressed in this chapter except as approved by the Commission. (6-1-24)T

04. Advance Notice. A promoter may not call off a sanctioned event without one (1) week prior written approval of the Commission. (6-1-24)T

503. REQUIRED NUMBER OF AMBULANCES – NOTICE TO AMBULANCE SERVICE AND HOSPITAL.

01. Required Number of Ambulances. The following number of ambulances must be present at the site of any program or event under the jurisdiction of the Commission: (6-1-24)T

a. Where the anticipated attendance is four thousand (4,000) persons or more but less than eight thousand (8,000) persons, one (1) ambulance. (6-1-24)T

b. Where the anticipated attendance is eight thousand (8,000) persons or more, two (2) ambulances. (6-1-24)T

02. Promoter Requirements. Each promoter of a program or event will, without regard to the size of the anticipated attendance: (6-1-24)T

a. Give notice of the time, date and site of the program to the ambulance service or emergency medical service which is located nearest to the site of the program and ascertain from the service the length of time for one (1) of its ambulances to reach the site. (6-1-24)T

b. Give such a notice to the nearest hospital and the persons in charge of its emergency room. (6-1-24)T

c. Before the start of the program or event, certify to a member of the Commission that the requirements of this section have been met. (6-1-24)T

504. SANITATION.

01. Sanitary Conditions. Each promoter is responsible for and must correct any violation of the regulations of the Commission or the public health district regarding the sanitary condition of dressing rooms, showers, water bottles, towels or other equipment. (6-1-24)T

02. Reporting. Physicians and the Commission or its agents will make a particular examination before

or during each program or event to discover any violation of such regulations, and any such violation will be reported to the Commission immediately. (6-1-24)T

505. AUTHORIZED PERSONS IN DRESSING ROOMS.

01. Authorized Persons to Enter. On the day of a contest only the following people are allowed in the dressing room of a combatant: (6-1-24)T

- a.** The combatant's manager; (6-1-24)T
- b.** The combatant's seconds; (6-1-24)T
- c.** Any authorized agent of the promoter; and (6-1-24)T
- d.** Members of the Commission or its agent. (6-1-24)T

02. Other Persons. The promoter will furnish a doorman or doormen at the entrance to the dressing rooms to enforce this section. (6-1-24)T

506. EQUIPMENT OF THE CHIEF SECOND.

01. Equipment. The chief second will be equipped with: (6-1-24)T

- a.** A clear plastic water bottle; (6-1-24)T
- b.** A bucket containing ice; (6-1-24)T
- c.** A solution of a kind approved by the Commission for stopping hemorrhaging; (6-1-24)T
- d.** Adhesive tape; (6-1-24)T
- e.** Gauze; (6-1-24)T
- f.** Scissors; and (6-1-24)T
- g.** One (1) extra mouthpiece. (6-1-24)T

02. Ammonia. No ammonia may be used in the ring. (6-1-24)T

03. Inspection. The ring physician or the Commission may at any time inspect the contents of the chief second's first-aid kit. (6-1-24)T

507. BELL OR GONG.

There will be a bell or gong at the ring no higher than the floor level of the ring. The bell or gong will produce a clear tone easily heard by the combatants. (6-1-24)T

508. EQUIPMENT OF A TIMEKEEPER.

Every timekeeper will have the equipment prescribed by the Commission and will carry out the duties directed by the Commission. (6-1-24)T

509. – 599. (RESERVED)

600. ADVANCE APPEARANCE OF COMBATANT SCHEDULED TO FIGHT IN MAIN EVENT.

01. When to Appear. Each combatant who is scheduled to fight in a main event, except a combatant in a regularly scheduled weekly contest, must be present in any place specified by the promoter at least three (3) days before the scheduled day of the contest for the purpose of training, publicity, and whatever other purpose the

promoter may desire, unless the combatant has the Commission's express written approval to be absent. (6-1-24)T

02. Expenses. Unless otherwise provided for in the contract, the combatant's expenses for this purpose will be borne by the promoter. If a combatant fails to comply with this requirement, the promoter, subject to approval of the Commission, may deduct ten percent (10%) of the offending combatant's purse. (6-1-24)T

601. WEIGHING IN OF COMBATANTS.

01. Attendees and Scales Used at Weigh-In. Each combatant will be weighed in the presence of the public, the other combatant, the Commission and an official representing the promoter, on scales approved by the Commission at any place designated by the Commission. (6-1-24)T

02. Attire. The combatant will have all weights stripped from his body before they are weighed in, but they may wear shorts. (6-1-24)T

03. Press Attendance. Press who provide official identification as such will be admitted to each official weighing in of a combatant. (6-1-24)T

04. Security. The owner or operator of the premises in which the weighing in is held will provide adequate security for all those present. (6-1-24)T

05. Weigh-Ins on Day of Contest. If a weigh-in is scheduled on the day of the contest, weight loss in excess of two (2) pounds after the time of the weigh-in is not permitted. (6-1-24)T

06. Weigh-in, Examination of Combatant May Be Ordered By the Commission. Any combatant who has signed a contract to compete on a promoter's program is subject to an order by the Commission to appear at any time to be weighed or examined by any physician designated by the Commission. (6-1-24)T

602. COMBATANTS MUST REPORT.

Each combatant will report to the Commission in the dressing rooms at least one (1) hour before their scheduled time of the first match. (6-1-24)T

603. COSTUME AND EQUIPMENT.

01. Costume. Each combatant on a program will provide the Commission approved ring costume. (6-1-24)T

02. Fit. The trunks must be loose fitting and made of a lightweight cloth. The belt of the trunks must not extend above the waist line. (6-1-24)T

03. Other Equipment. Each combatant will wear: (6-1-24)T

a. A mouthpiece which has been individually fitted; and (6-1-24)T

b. An abdominal cup which will protect him against injury from a foul blow. (6-1-24)T

604. COMBATANT'S PHYSICAL APPEARANCE.

01. Grease or Foreign Substances. The excessive use of grease or any other foreign substance may not be used on the face of a combatant. The referees or the Commission will cause any excessive grease or foreign substance to be removed. (6-1-24)T

02. Hair. The Commission will determine whether head or facial hair presents any hazard to the safety of the combatant or their opponent or will interfere with the supervision and conduct of the contest. (6-1-24)T

605. PHYSICIAN – SUITABLE PLACE TO EXAMINE COMBATANT – FEE – EMERGENCY TREATMENT.

01. Suitable Examination Place. The promoter will provide the physician designated by the Commission a suitable place to examine each combatant. (6-1-24)T

02. Fees. The physician is entitled to receive a fee for their services at a bout. (6-1-24)T

03. Emergency Treatment. The physician will give any injured combatant temporary or emergency treatment in the arena or dressing room and no additional fee may be charged. (6-1-24)T

606. CONTINUOUS PRESENCE OF PHYSICIAN AT RINGSIDE.

01. Presence of Physician at Ringside. The physician designated by the Commission will sit at the immediate ringside at every event. A contest may not proceed unless the physician is seated at ringside. The physician must not leave until released by the Commission. (6-1-24)T

02. Injury to Combatant During Round. When a combatant appears to have been injured during the course of a round, their manager or second cannot attempt to render aid before the physician has had an opportunity to examine them. (6-1-24)T

607. PROCEDURE FOR USE OF SCORECARDS.

01. Scorecards. The Commission will give scorecards to each judge before the start of the contest. (6-1-24)T

02. Scoring by Judges. The judges will score each round of the contest on an individual scorecard and sign it. The referee will pick up the scorecard from each judge and turn in the scorecards at the Commission's desk before the start of each round. (6-1-24)T

03. Presentation of Scorecards to Press After Contest. The Commission may show the scorecards to accredited representatives of the press after the completion of the contest. (6-1-24)T

04. Delivery of Scorecards to Commission. The Commission will mail or deliver the scorecards together with required reports regarding the contest to the Division. (6-1-24)T

05. Report of Each Contest. Reports of each contest will be kept on file in the office of the Division. (6-1-24)T

608. REFEREE'S INSTRUCTIONS TO COMBATANTS.

The referee will, before starting a contest, ascertain from each combatant the name of their chief second, who will be responsible for the conduct of the assistant seconds during the progress of the contest. The referee will call combatants together before each contest for final instructions, accompanied only by their chief second. (6-1-24)T

609. LIMITATIONS ON SECONDS.

01. Number of Seconds. No combatant will have more than three (3) seconds except that in a contest for a world title the Commission may authorize four (4) seconds. (6-1-24)T

02. Excessive Use of Water. Any excessive or undue spraying or throwing of water on any combatant by a second between rounds is prohibited. (6-1-24)T

610. PERSONS ALLOWED IN RING.

No persons other than the combatants and the referee may be in the ring during the progress of a round. (6-1-24)T

611. UNFAIR PRACTICES – DUTIES OF REFEREES.

01. Enforcing the Rules. A referee is responsible for enforcing the rules of the contest and cannot permit unfair practices that may cause injury to a combatant. (6-1-24)T

02. Warnings. Referees will warn the combatants whenever they are committing fouls. (6-1-24)T

03. Deducting Points. If a combatant persists in committing fouls after a warning, the referee will deduct points from or disqualify them. (6-1-24)T

612. STOPPING OF CONTEST – INJURY TO COMBATANT.

The referee, in consultation with the ring physician, will determine whether a contest should be stopped because of an injury to a combatant. (6-1-24)T

613. STOPPING OF CONTEST – ONE-SIDED CONTEST – RISK OF INJURY – EXAMINATION BY PHYSICIAN.

01. One-Sided Contested. The referee may stop a contest at any stage if they consider it too one-sided or if either combatant is in such a condition that to continue might subject him to serious injury. (6-1-24)T

02. Risk of Injury and Examination by Physician. If a combatant sustains any injury which the referee believes may incapacitate them, the referee will call the physician into the ring to examine the combatant. The physician will give their opinion to the referee before the referee renders a decision in the matter. (6-1-24)T

614. STOPPING OF CONTEST – COMBATANT NOT HONESTLY COMPETING.

If the referee decides a combatant is not honestly competing, they may stop the contest before its scheduled completion, disqualify the combatant and recommend the purse of that combatant be held pending investigation by the Commission. The announcer will then inform the audience that no decision has been rendered. (6-1-24)T

615. FAILURE OF COMBATANT TO RESUME.

A combatant may not leave the ring during any one (1) minute rest period between rounds. If any combatant fails or refuses to resume the contest when the bell sounds signaling the commencement of the next round, the referee will award a decision of technical knockout to their opponent as of the round which has last been finished, unless the circumstances indicate to the referee the need for investigation or punitive action, in which event the referee will not give a decision and will recommend the purse or purses of either or both combatants to be withheld. (6-1-24)T

616. PROCEDURE WHEN COMBATANT IS KNOCKED OUT.

A combatant who has been knocked out will be kept in a prone position until they have recovered. Except for the referee or chief second who may remove the mouthpiece, no one may touch them until the ring physician enters the ring and attends to them. (6-1-24)T

617. ANNOUNCEMENT OF WINNER OF BOUT.

At the termination of each boxing bout the announcer will announce the winner and the referee will raise the winner's hand. (6-1-24)T

618. CHANGE OF DECISION IN CONTEST.

The Commission will not change a decision rendered at the end of any contest unless: (6-1-24)T

01. Collusion. The Commission determines that there was collusion affecting the result of the contest. (6-1-24)T

02. Error in Scoring. The compilation of scorecards of the judges discloses an error which shows that the decision was given to the wrong combatant. (6-1-24)T

03. Error in Interpretation of Rules. As a result of an error in interpreting a provision of this chapter, the referee has rendered an incorrect decision. (6-1-24)T

04. Failure of Drug Test. The Commission determines that there was a violation of Section 205. (6-1-24)T

619. PHYSICIAN'S REPORT TO COMMISSION AFTER CONTEST.

On the report which the Commission-designated physician files after a contest, they shall list each case in which a combatant was injured during the contest, or applied for medical aid after the contest. (6-1-24)T

620. – 699. (RESERVED)

700. MARTIAL ARTS AND MIXED MARTIAL ARTS (MMA) – RULES.

A Licensed Combatant in an MMA contest must adhere to the rules of the Association of Boxing Commissions and Combative Sports Unified Rules of Mixed Martial Arts. (6-1-24)T

01. Regulation of Marital Arts and MMA. Except to the extent set forth under Sections 700-799 of these rules, all requirements and the limitations relating to combatants and licenses (as set forth within Title 54, Chapter 4, Idaho Code, and in the remaining rules of the Commission) will apply to all martial arts and MMA contests and exhibitions. Notwithstanding the foregoing, at its sole discretion, the Commission may, by specific reference in the sanctioning permit, allow the use of other requirements and limitations during a particular martial arts contest or exhibition. (6-1-24)T

02. The Association of Boxing Commissions and Combative Sports. The Commission adopts the Unified Rules of Mixed Martial Arts of the Association of Boxing Commissions and Combative Sports as the official Rules of the Idaho Athletic Commission for Mixed Martial Arts. (6-1-24)T

03. MMA Weight Classes. The Commission adopts the Unified Rules of Mixed Martial Arts weight classes as listed in the Association of Boxing Commissions and Combative Sports Unified Rules for Mixed Martial Arts incorporated by reference in Section 002 of these rules. (6-1-24)T

04. Practices, Belt Promotion Testing, and Non-Contact Demonstrations. Martial arts practices, belt promotion testing and demonstrations (as used herein the term demonstrations means displays that do not involve combative contact between combatants or between participants) conducted by martial arts schools are not considered to be boxing. Such practices, testing, and demonstrations are exempt from the licensing requirements of Title 54, Chapter 4, Idaho Code, and persons do not need a license to participate in such practices, testing, and demonstrations. (6-1-24)T

05. Licensing Exemption. Martial arts schools that meet the conditions set forth within Section 54-406(3)(b), Idaho Code, may apply to the Commission for exemption from licensing and sanctioning permit requirements relating to exhibitions and contests. (6-1-24)T

06. Use of Official Rules for Art. Martial arts contests and exhibitions will be conducted pursuant to the official rules of the particular art. The sponsoring organization or promoter must file a copy of the official rules with the Commission before the Commission will issue a sanctioning permit for the contest or exhibition. (6-1-24)T

07. Gloves. The requirement set forth in Section 54-414, Idaho Code, of wearing boxing gloves applies to kickboxing but will not apply to any other form of martial art unless the use of boxing gloves is required by the official rules of that particular art. Any gloves utilized must be in good condition as approved by the commission. For main and semi main events, gloves will be in new condition and of the same brand for combatants. (6-1-24)T

08. Commission Approved Attire. (6-1-24)T

a. Each combatant will wear a foul-proof groin protector. (6-1-24)T

b. Each female combatant will wear Commission-approved form fitting breast support protection. Supports may not have brace, metal or hard material of any kind. (6-1-24)T

c. For male combatants, no body shirts or pants are allowed. Female combatants will wear fighting shorts and rash guard. (6-1-24)T

d. Combatant may only use soft materials to tie hair. (6-1-24)T

09. Prohibited Equipment and Attire. (6-1-24)T

- a.** The following equipment and attire are prohibited: (6-1-24)T
- i.** Shoes: (6-1-24)T
- ii.** Facial hair, if determined by the Commission to pose a health, safety or sanitary issue: (6-1-24)T
- iii.** Tar material on any part of the body: (6-1-24)T
- iv.** Henna-type tattoos: (6-1-24)T
- v.** Piercing accessories; and (6-1-24)T
- vi.** Makeup of any kind. (6-1-24)T
- b.** Masks, costumes, and props must be approved by the Commission prior to usage. (6-1-24)T
- c.** Fingernails and toenails must be cut and trimmed prior to a contest. (6-1-24)T

701. SUSPENSION OF MMA CONTEST FOR UNFORESEEN REASONS.

01. Unforeseen Reasons. If a contest has to be suspended for any reason other than the actions of the combatants, the referee will have the clock stopped and attend to the issue. The referee, Commission or Commission's representative will decide the length of time allotted to address the issue. All reasonable efforts are made to resume the contest as soon as possible. It is expected that the responsible party or parties make a true effort to resolve the issue. (6-1-24)T

02. Suspicious Circumstances. If the contest is unexpectedly stopped under suspicious circumstances, all or part of the following actions may take place: (6-1-24)T

- a.** If a combatant or his corner is involved, the offending combatant may be disqualified. (6-1-24)T
- b.** The combatant may be subject to investigation and discipline in the event of a violation of these rules. (6-1-24)T
- c.** In certain circumstances the matter may be referred to the appropriate law enforcement agency or the courts, or both. (6-1-24)T

702. METHODS OF WINNING MMA CONTEST.

01. Knockout (KO). A knockout is declared when a combatant is unable to intelligently defend himself following a strike. (6-1-24)T

02. Technical Knockout (TKO). A technical knockout is declared when the licensed ringside physician or referee decides the combatant cannot continue due to a cut or other injury. (6-1-24)T

03. Submission. When a combatant submits by tapping out on the opponent or the mat as a result from a choke, lock, or any other legal technique or strike. A combatant may call out defeat when unable to tap out. (6-1-24)T

04. Referee Stoppage. The referee may stop the contest if a combatant can no longer defend himself or cannot or will not tap out, or for any other reason to preserve the health and safety of the combatants. (6-1-24)T

05. Decision. When the contest ends after the specified time period and there is no winner, or ends due to a foul or fouls that cause injury, or ends due to unforeseen circumstance, it will be scored by the three (3) judges. (6-1-24)T

- a.** Decisions made via a scorecard in MMA contest will be: (6-1-24)T
- i. A “Unanimous Decision” in which all three (3) judges agree on winner. (6-1-24)T
- ii. A “Split Decision” in which two (2) judges agree on one (1) combatant and one (1) judge scores for the other combatant. (6-1-24)T
- iii. A “Majority Decision” in which two (2) judges agree on one (1) combatant and one (1) judge scores a draw. (6-1-24)T
- b.** A “Draw” may be: (6-1-24)T
- i. A “Unanimous” decision in which all three (3) judges score the contest a draw; (6-1-24)T
- ii. A “Majority” decision in which two (2) judges score the contest a draw and one (1) judge scores for a combatant; or (6-1-24)T
- iii. A “Split” decision in which one (1) judge scores for a combatant, one (1) judge scores for the other combatant and one (1) judge scores the contest a draw. (6-1-24)T
- c.** Other scorecard decisions are: (6-1-24)T
- i. Technical Decision; (6-1-24)T
- ii. Technical Draw; or (6-1-24)T
- iii. No Contest. (6-1-24)T
- d.** A “Disqualification” can result from fouling or unsportsmanlike conduct as determined by the referee. (6-1-24)T

06. Inability of Opponent to Continue or Throws in Towel. If the opponent is unable or unwilling to continue the contest or the combatant’s corner decides that the combatant is unable to continue and indicates this by throwing the towel into the ring or cage, a TKO will result against this combatant. (6-1-24)T

703. MMA COMBATANT DOWN AFTER THE SOUND OF THE BELL.

- 01.** End of Round. The round ends when the bell sounds to end the round. (6-1-24)T
- 02.** Combatant Down After Round Has Ended. If during the round legal blows negatively affect a combatant and the combatant goes down after the bell has sounded ending the round, the referee will consider the round ended and the one-minute rest period started. The referee may then allow the combatant’s corner to assist the downed combatant or he may summon the ringside physician to evaluate the combatant, or both. (6-1-24)T

704. BLOWS AT OR AFTER THE BELL IN MMA CONTEST.

- 01.** Legal Blow. A blow that strikes a combatant concurrent with the sounding of the bell is deemed to be a legal blow. (6-1-24)T
- 02.** Illegal Blow. A blow that strikes a combatant after the sounding of the bell is deemed to be a foul. The referee will determine if it was accidental or intentional foul. (6-1-24)T

705. – 799. (RESERVED)

800. BOXING – RULES.

A licensed combatant in a boxing contest must adhere to the Unified Rules of the Association of Boxing Commissions and Combative Sports Unified Boxing Rules. (6-1-24)T

01. The Association of Boxing Commissions and Combative Sports. The Commission adopts the Unified Boxing Rules of the Association of Boxing Commissions and Combative Sports as the official Rules of the Idaho Athletic Commission for boxing. (6-1-24)T

02. Weights and Classes of Boxing Combatants. The classes and weights for each class are shown in the following schedule: (6-1-24)T

- a.** Strawweight – up to one hundred five (105) pounds. (6-1-24)T
- b.** Light-Flyweight – over one hundred five (105) to one hundred eight (108) pounds. (6-1-24)T
- c.** Flyweight – over one hundred eight (108) to one hundred twelve (112) pounds. (6-1-24)T
- d.** Super Flyweight – over one hundred twelve (112) to one hundred fifteen (115) pounds. (6-1-24)T
- e.** Bantamweight – over one hundred fifteen (115) to one hundred eighteen (118) pounds. (6-1-24)T
- f.** Super Bantamweight – over one hundred eighteen (118) to one hundred twenty-two (122) pounds. (6-1-24)T
- g.** Featherweight – over one hundred twenty-two (122) to one hundred twenty-six (126) pounds. (6-1-24)T
- h.** Super Featherweight – over one hundred twenty-six (126) to one hundred thirty (130) pounds. (6-1-24)T
- i.** Lightweight – over one hundred thirty (130) to one hundred thirty-five (135) pounds. (6-1-24)T
- j.** Super Lightweight – over one hundred thirty-five (135) to one hundred forty (140) pounds. (6-1-24)T
- k.** Welterweight – over one hundred forty (140) to one hundred forty-seven (147) pounds. (6-1-24)T
- l.** Super Welterweight – over one hundred forty-seven (147) to one hundred fifty-four (154) pounds. (6-1-24)T
- m.** Middleweight – over one hundred fifty-four (154) to one hundred sixty (160) pounds. (6-1-24)T
- n.** Super Middleweight – over one hundred sixty (160) to one hundred sixty-eight (168) pounds. (6-1-24)T
- o.** Light-Heavyweight – over one hundred sixty-eight (168) to one hundred seventy-five (175) pounds. (6-1-24)T
- p.** Cruiserweight – over one hundred seventy-five (175) to two hundred (200) pounds. (6-1-24)T
- q.** Heavyweight – all over two hundred (200) pounds. (6-1-24)T

03. Exceeding Weight Allowances. No contest may be scheduled and no combatant may engage in a boxing contest without the approval of the Commission if the difference in weight between combatants exceeds the allowance shown in the following schedule: (6-1-24)T

- a.** Up to one hundred eighteen (118) pounds – not more than three (3) pounds. (6-1-24)T
- b.** One hundred eighteen (118) to one hundred twenty-six (126) pounds – not more than five (5) pounds. (6-1-24)T

c. One hundred twenty-six (126) to one hundred thirty-five (135) pounds – not more than seven (7) pounds. (6-1-24)T

d. One hundred thirty-five (135) to one hundred forty-seven (147) pounds – not more than nine (9) pounds. (6-1-24)T

e. One hundred forty-seven (147) to one hundred sixty (160) pounds – not more than eleven (11) pounds. (6-1-24)T

f. One hundred sixty (160) to one hundred seventy-five (175) – not more than twelve (12) pounds. (6-1-24)T

g. One hundred seventy-five (175) to one hundred ninety-five (195) pounds – not more than twenty (20) pounds. (6-1-24)T

h. One hundred ninety-five (195) pounds and over – no limit. (6-1-24)T

04. **Licensing Exemption.** Amateur Boxing Organizations that meet the conditions set forth within Section 54-406(3)(b), Idaho Code, are considered exempt from the licensing requirements set forth in these rules. (6-1-24)T

05. **Boxing Gloves.** The gloves used in a boxing contest must meet the following requirements: (6-1-24)T

a. General. The gloves will be examined by the Commission and the referee. If padding in any of the gloves is found to be misplaced or lumpy or if any of the gloves are found to be imperfect, they must be changed before the contest starts. No breaking, roughing or twisting of gloves is permitted. (6-1-24)T

b. Glove Specifications. The gloves for every main event will be new, of the same brand for both combatants, furnished by the promoter, and of the size specified by the Commission. (6-1-24)T

c. Sanitary. If gloves to be used in preliminary contests have been used before, they will be whole, clean and in sanitary condition. The gloves are subject to inspection by the referee or the Commission. If found to be unfit, they will be immediately discarded and replaced with gloves meeting the requirements of this section. (6-1-24)T

d. Weight of Gloves. Each combatant will wear gloves that are not less than eight (8) ounces and not more than ten (10) ounces in weight except that the Commission will set the weight of gloves to be used in a championship fight. Eight (8) ounce gloves will be used for all weight classes through welterweight (one hundred forty-seven (147) lbs). Super welterweight (above one hundred forty-seven (147) lbs) and above must use ten (10) ounce gloves. (6-1-24)T

e. All gloves will have the distal portion of the thumb attached to the body of the glove so as to minimize the possibility of injury to an opponent's eye. (6-1-24)T

06. **Bandaging of Combatant's Hands.** Bandages may not exceed one (1) winding of surgeon's adhesive tape, not over one and one-half (1 1/2) inches wide, placed directly on the hand to protect the part of the hand near the wrists. The tape may cross the back of the hand twice but may not extend within three-fourths (3/4) inch of the knuckles when the hand is clenched to make a fist. (6-1-24)T

a. Each combatant will use soft surgical bandage not over two (2) inches wide, held in place by not more than six (6) feet of surgeon's adhesive tape for each hand. Up to one (1) fifteen (15) yard roll of bandage may be used to complete the wrappings for each hand. Strips of tape may be used between the fingers to hold down the bandages. (6-1-24)T

b. Bandages must be adjusted in the dressing room in the presence of the Commission and both

combatants. Either combatant may waive his privilege of witnessing the bandaging of the opponent's hands. (6-1-24)T

801. BOXING RING.

A boxing ring will meet the following requirements: (6-1-24)T

01. Ring Dimensions. The ring will be not less than sixteen (16) feet square not more than twenty-four (24) feet square within the ropes. The ring floor will extend at least eighteen (18) inches beyond the ropes. The ring floor will be padded with ensolite or another similar closed-cell foam. Padding will extend beyond the ring ropes and over the edge of the platform, with a top covering of canvas, duck or similar material tightly stretched and laced to the ring platform. Material that tends to gather in lumps or ridges must not be used. (6-1-24)T

02. Ring Platform. The ring platform will not be more than four (4) feet above the floor of the building, and will be provided with suitable steps for use of combatants. Ring posts will be of metal, not more than three (3) inches in diameter, extending from the floor of the building to a height of fifty-eight (58) inches above the ring floor. Rings posts will be at least eighteen (18) inches away from the ropes. (6-1-24)T

03. Ropes. There will be four (4) padded ring ropes, not less than one (1) inch in diameter and wrapped in soft material. The lower rope will be eighteen (18) inches above the ring floor and offset four (4) inches to the outside of the ring from the ropes above. (6-1-24)T

802. KNOCKDOWN OF BOXING COMBATANT – PROCEDURE FOR COUNTING.

01. Knockdown. When a combatant is knocked down, the referee will order the opponent to retire to the farthest neutral corner of the ring, pointing to the corner, and immediately begin the count over the combatant who is down. The referee will audibly announce the passing of the seconds, accompanying the count with motions of his arm, the downward motion indication the end of each second. (6-1-24)T

02. Timekeeper. The timekeeper, by effective signaling, will give the referee the correct one (1) second interval for his count. The referee's count is the official count. Once the referee picks up the count from the timekeeper, the timekeeper will cease counting. No combatant who is knocked down may be allowed to resume boxing until the referee has finished counting to eight (8). The combatant may take the count either on the floor or standing. (6-1-24)T

03. Failure of Opponent to Stay in Farthest Neutral Corner. If the opponent fails to stay in the farthest neutral corner, the referee will cease counting until he has returned to his corner and will then go on with the count from the point at which it was interrupted. If the combatant who is down arises during the count, the referee may step between the combatants long enough to assure himself that the combatant just arisen is in condition to continue. If so assured, he will, without loss of time, order both combatants to go on with the contest. During the intervention by the referee the striking of a blow by either combatant may be ruled a foul. (6-1-24)T

04. Knock-Out. When a combatant is knocked out, the referee will perform a full ten (10) second count unless, in the judgment of the referee, the safety for the combatant would be jeopardized by such a count. If the combatant who is knocked down is still down when the referee calls the count of ten (10), the referee will wave both arms to indicate that he had been knocked out and will raise the hand of the opponent as the winner. (6-1-24)T

05. Both Combatants Down. If both combatants go down at the same time, the count will be continued as long as one (1) is still down. If both combatants remain down until the count of ten (10), the contest is stopped and the decision is a technical draw. (6-1-24)T

06. Combatants Down – Referee Counting. If a combatant is down as a result of a legal blow at or near the end of a round, the ring official will continue the count. The combatant cannot be saved by the bell. (6-1-24)T

803. RESUMING COUNT ON BOXING COMBATANT.

If a knockdown occurs before the normal termination of a round and the boxer who is down stands up before the count of ten (10) is reached and then falls down immediately without being struck, the referee will resume the count

where it was left off. If the combatant is on the ring platform outside the ropes, he must enter the ring immediately where he may resume the contest or take a count. The referee will start the count as soon as the combatant who had fallen is back in the ring. (6-1-24)T

01. Stalling Outside Ropes. If the combatant stalls for time outside the ropes, the referee will start the count without waiting for him to reenter the ring. (6-1-24)T

02. Combatant to Neutral Corner. When one (1) combatant has fallen through the ropes, the other combatant will retire to the farthest corner and stay there until ordered to continue the contest by the referee. (6-1-24)T

03. Penalty. A combatant who deliberately wrestles or throws an opponent from the ring, or who hits when he is partly out of the ring and is prevented by the ropes from assuming a position of defense, may be penalized. (6-1-24)T

804. WHEN BOXING COMBATANT FALLS FROM RING DURING ROUND.

A combatant who has been knocked or has fallen through the ropes and over the edge of the ring platform during the contest may be helped back by anyone except his seconds or manager, and the referee may allow a reasonable amount of time for the combatant to return to the ring. If the combatant is on the ring platform outside the ropes, they must enter the ring immediately where they may resume the contest or take a count them to reenter the ring. A combatant who deliberately wrestles or throws an opponent from the ring, or who hits when they are partly out of the ring and is prevented by the ropes from assuming a position of defense, may be penalized. (6-1-24)T

805. BOXING COMBATANT DEEMED DOWN.

01. Feet Off Floor. A boxer is deemed to be down when any part of his body other than his feet is on the floor. (6-1-24)T

02. Hanging Over Ropes. A boxer is deemed to be down when hanging over the ropes without the ability to protect himself and he cannot fall to the floor. A referee may count a combatant out if they are on the floor or are being held up by the ropes. (6-1-24)T

806. – 899. (RESERVED)

900. WRESTLING – SPECIAL LICENSE FOR A CONTEST.

Unless a special license has been obtained, all professional wrestling programs under the supervision and authority of the Commission are only exhibitions and not contests, and those exhibitions cannot be advertised or announced as contests. (6-1-24)T

901. WRESTLING – DISQUALIFICATION FOR DANGEROUS TACTICS.

01. Restrictions. The referee will not permit physically dangerous conduct or tactics. Any wrestler who fails to discontinue those tactics, after being warned by the referee, will be disqualified and have their purse held up and paid to the Commission. (6-1-24)T

02. Professionalism. A referee cannot participate in an exhibition to the extent that the Commission or the referee is made to look ridiculous. (6-1-24)T

902. LICENSEE'S DUTIES AT WRESTLING EXHIBITION.

01. Conduct. The referee, promoter and their agents, attaches and employees, and participants in any wrestling exhibition will maintain peace, order and decency in the conduct of the exhibition. (6-1-24)T

02. No Abusive Behavior. A person involved in such exhibition will not abuse the referee or an official of the Commission. (6-1-24)T

03. Decision and Appeal. The Commission will hear any complaint about a referee or an official.

(6-1-24)T

903. WRESTLERS – PHYSICAL EXAMINATION.

Any person applying for or renewing a license as a wrestler will first be examined by a physician approved by the Commission to establish physical and mental fitness. A wrestler will be furnished a list of approved examining physicians by the Commission. The Commission may order the examination of any wrestler for the purpose of determining whether the wrestler is fit and qualified to engage in further exhibitions.

(6-1-24)T

904. – 999. (RESERVED)

IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES

24.04.01 – RULES OF THE BOARD OF REGISTRATION FOR PROFESSIONAL GEOLOGISTS

DOCKET NO. 24-0401-2401 (ZBR CHAPTER REWRITE)

NOTICE OF INTENT TO PROMULGATE RULES – ZERO-BASED REGULATION (ZBR) 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 67-2604, Idaho Code, Sections 67-9404, 67-9405, 67-9406, 67-9409, and 67-9413, Idaho Code, and 54-2801 through 54-2822, Idaho Code.

MEETING SCHEDULE: Public hearings on the negotiated rulemaking will be held as follows. Additional meetings may be scheduled and will be posted on the DOPL website (<https://dopl.idaho.gov/calendar/>) and townhall.idaho.gov.

24.04.01 – Rules of the Board of Registration for Professional Geologists
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<p>July 10, 2024 – 10 a.m. (MT) Division of Occupational and Professional Licenses Chinden Campus Building 4, Eaglerock Room 11341 W. Chinden Blvd., Boise, ID 83714</p>

<p>Virtual Meeting Link</p>

Rulemaking meetings will be held in person and via web conferencing to provide a rulemaking platform that enables broad participation by stakeholders from across the state and minimize travel for stakeholders. 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: Those interested in participating in the negotiated rulemaking process are encouraged to attend the scheduled meetings. The telephone and web conferencing information for a specific meeting will be posted at least two days prior to the meeting. For those who cannot participate by attending the meeting, information for submitting written comments is provided below.

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

DESCRIPTIVE SUMMARY 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 being presented as part of the DOPL plan to review each rule chapter every 5 years. There are no specific rulemaking changes planned by DOPL at this time except for evaluation and amendment consistent with the Governor's [Executive Order 2020-01: Zero-Based Regulation](#). It is anticipated that rulemaking stakeholders will propose and advocate for rulemaking changes as part of the negotiated rulemaking process. DOPL intends to carefully consider all changes presented by the public and may propose certain changes so long as they are consistent with the rules' statutory authority and the Governor's Executive Order.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING DRAFT COPIES: For assistance on technical questions concerning this negotiated rulemaking, contact Krissy Veseth, Bureau Chief, at (208) 577-2491. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the following DOPL website: <https://dopl.idaho.gov/rulemaking/>.

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 10, 2024.

DATED this 3rd day of June, 2024.

Krissy Veseth
Bureau Chief, Bureau of Administration
11341 W. Chinden Blvd., Bldg. #4
Boise, ID 83714
Phone: (208) 577-2491
Email: krissy.veseth@dopl.idaho.gov

IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES

24.21.01 – RULES OF THE IDAHO STATE CONTRACTORS BOARD

DOCKET NO. 24-2101-2401 (ZBR CHAPTER REWRITE)

NOTICE OF INTENT TO PROMULGATE RULES – ZERO-BASED REGULATION (ZBR) 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 67-2604, Idaho Code, Sections 67-9404, 67-9405, 67-9406, 67-9409, and 67-9413, Idaho Code, and 54-5201 through 54-5219, Idaho Code.

MEETING SCHEDULE: Public hearings on the negotiated rulemaking will be held as follows. Additional meetings may be scheduled and will be posted on the DOPL website (<https://dopl.idaho.gov/calendar/>) and townhall.idaho.gov.

24.21.01 – Rules of the Idaho State Contractors Board

July 10, 2024 – 9 a.m. (MT)
Division of Occupational and Professional Licenses
Chinden Campus Building 4, Eaglerock Room
11341 W. Chinden Blvd.,
Boise, ID 83714

[Virtual Meeting Link](#)

Rulemaking meetings will be held in person and via web conferencing to provide a rulemaking platform that enables broad participation by stakeholders from across the state and minimize travel for stakeholders. 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: Those interested in participating in the negotiated rulemaking process are encouraged to attend the scheduled meetings. The telephone and web conferencing information for a specific meeting will be posted at least two days prior to the meeting. For those who cannot participate by attending the meeting, information for submitting written comments is provided below.

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

DESCRIPTIVE SUMMARY 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 being presented as part of the DOPL plan to review each rule chapter every 5 years. There are no specific rulemaking changes planned by DOPL at this time except for evaluation and amendment consistent with the Governor's [Executive Order 2020-01: Zero-Based Regulation](#). It is anticipated that rulemaking stakeholders will propose and advocate for rulemaking changes as part of the negotiated rulemaking process. DOPL intends to carefully consider all changes presented by the public and may propose certain changes so long as they are consistent with the rules' statutory authority and the Governor's Executive Order.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING DRAFT COPIES: For assistance on technical questions concerning this negotiated rulemaking, contact Krissy Veseth, Bureau Chief, at (208) 577-2491. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the following DOPL website: <https://dopl.idaho.gov/rulemaking/>.

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 10, 2024.

DATED this 3rd day of June, 2024.

Krissy Veseth
Bureau Chief, Bureau of Administration
11341 W. Chinden Blvd., Bldg. #4
Boise, ID 83714
Phone: (208) 577-2491
Email: krissy.veseth@dopl.idaho.gov

IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES

24.30.01 – IDAHO ACCOUNTANCY RULES

DOCKET NO. 24-3001-2401

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 67-2604, Idaho Code, Sections 67-9404, 67-9405, 67-9406, 67-9409, and 67-9413, Idaho Code, and 54-2801 through 54-2822, Idaho Code.

MEETING SCHEDULE: Public hearings on the negotiated rulemaking will be held as follows. Additional meetings may be scheduled and will be posted on the DOPL website (<https://dopl.idaho.gov/calendar/>) and townhall.idaho.gov.

24.30.01 – Idaho Accountancy Rules
July 11, 2024 – 9 a.m. (MT) Division of Occupational and Professional Licenses Chinden Campus Building 4, Thunderbolt Room 11341 W. Chinden Blvd., Boise, ID 83714
Virtual Meeting Link

Rulemaking meetings will be held in person and via web conferencing to provide a rulemaking platform that enables broad participation by stakeholders from across the state and minimize travel for stakeholders. 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: Those interested in participating in the negotiated rulemaking process are encouraged to attend the scheduled meetings. The telephone and web conferencing information for a specific meeting will be posted at least two days prior to the meeting. For those who cannot participate by attending the meeting, information for submitting written comments is provided below.

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

DESCRIPTIVE SUMMARY 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:

An amendment to Rule 104.01 and Rule 104.02 to extend the timeframe to pass all four parts of the Certified Public Accountants (CPA) examination from 18 months to 30 months to allow candidates more time to prepare and complete the exam, as well as grant the board more flexibility to allow candidates to be granted an extension for good cause shown or circumstances outside of their control.

An amendment to Rule 002.02 Incorporation by Reference to update the Statement on Standards for CPE Requirements from the 2019 Edition to the 2024 Edition. These standards were approved by the American Institute of Certified Public Accountants and the National Association of State Boards of Accountancy.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING DRAFT COPIES: For assistance on technical questions concerning this negotiated rulemaking, contact Krissy Veseth, Bureau Chief, at (208) 577-2491. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the following DOPL website: <https://dopl.idaho.gov/rulemaking/>.

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 11, 2024.

DATED this 3rd day of June, 2024.

Krissy Veseth
Bureau Chief, Bureau of Administration
11341 W. Chinden Blvd., Bldg. #4
Boise, ID 83714
Phone: (208) 577-2491
Email: krissy.veseth@dopl.idaho.gov

IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES

24.32.01 – RULES OF THE IDAHO BOARD OF LICENSURE OF PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS

DOCKET NO. 24-3201-2401 (ZBR CHAPTER REWRITE)

NOTICE OF INTENT TO PROMULGATE RULES – ZERO-BASED REGULATION (ZBR) 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 67-2604, Idaho Code, Sections 67-9404, 67-9405, 67-9406, 67-9409, and 67-9413, Idaho Code, 54-1208(1), Idaho Code, and 55-1606, Idaho Code.

MEETING SCHEDULE: Public hearings on the negotiated rulemaking will be held as follows. Additional meetings may be scheduled and will be posted on the DOPL website (<https://dopl.idaho.gov/calendar/>) and townhall.idaho.gov.

24.32.01 – Rules of Board of Licensure of Professional Engineers and Professional Land Surveyors	
June 26, 2024 – 9 a.m. (MT) Virtual Meeting Link	August 21, 2024 – 9 a.m. (MT) Virtual Meeting Link
Division of Occupational and Professional Licenses Chinden Campus Building 4, Eaglerock Room 11341 W. Chinden Blvd., Boise, ID 83714	

Rulemaking meetings will be held in person and via web conferencing to provide a rulemaking platform that enables broad participation by stakeholders from across the state and minimize travel for stakeholders. 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: Those interested in participating in the negotiated rulemaking process are encouraged to attend the scheduled meetings. The telephone and web conferencing information for a specific meeting will be posted at least two days prior to the meeting. For those who cannot participate by attending the meeting, information for submitting written comments is provided below.

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

DESCRIPTIVE SUMMARY 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 being presented as part of the DOPL plan to review each rule chapter every 5 years. There are no specific rulemaking changes planned by DOPL at this time except for evaluation and amendment consistent with the Governor’s [Executive Order 2020-01: Zero-Based Regulation](#). It is anticipated that rulemaking stakeholders will propose and advocate for rulemaking changes as part of the negotiated rulemaking process. DOPL intends to carefully consider all changes presented by the public and may propose certain changes so long as they are consistent with the rules’ statutory authority and the Governor’s Executive Order.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING DRAFT COPIES: For assistance on technical questions concerning this negotiated rulemaking, contact Krissy Veseth, Bureau Chief, at (208) 577-2491. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the following DOPL website: <https://dopl.idaho.gov/rulemaking/>.

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 August 21, 2024.

DATED this 3rd day of June, 2024.

Krissy Veseth
Bureau Chief, Bureau of Administration
11341 W. Chinden Blvd., Bldg. #4
Boise, ID 83714
Phone: (208) 577-2491
Email: krissy.veseth@dopl.idaho.gov

IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES

24.35.01 – RULES OF THE OUTFITTERS AND GUIDES LICENSING BOARD

DOCKET NO. 24-3501-2401

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 67-2604, Idaho Code, Sections 67-9404, 67-9405, 67-9406, 67-9409, and 67-9413, Idaho Code, and 54-2801 through 54-2822, Idaho Code.

MEETING SCHEDULE: Public hearings on the negotiated rulemaking will be held as follows. Additional meetings may be scheduled and will be posted on the DOPL website (<https://dopl.idaho.gov/calendar/>) and townhall.idaho.gov.

24.35.01 – Rules of the Idaho Outfitters and Guides Licensing Board
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<p>June 18, 2024 – 11 a.m. (MT)</p>
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<p>Division of Occupational and Professional Licenses Chinden Campus Building 4, Coolwater Room 11341 W. Chinden Blvd., Boise, ID 83714</p>
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<p>Virtual Meeting Link</p>
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Rulemaking meetings will be held in person and via web conferencing to provide a rulemaking platform that enables broad participation by stakeholders from across the state and minimize travel for stakeholders. 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: Those interested in participating in the negotiated rulemaking process are encouraged to attend the scheduled meetings. The telephone and web conferencing information for a specific meeting will be posted at least two days prior to the meeting. For those who cannot participate by attending the meeting, information for submitting written comments is provided below.

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

DESCRIPTIVE SUMMARY 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 removal of Rule 002.08 Hazardous Desert or Mountain Excursions, as it is duplicative of Section 36-2102(r), Idaho Code, as well as the removal of Rule 100.03 Examinations due to Section 67-9409(4), Idaho Code which supersedes the rule.

Amendments to Rules 103.02(b) Float Boating on Classified Water, 103.05 Renewal, 257.09 Undesignated Tag Pool to add clarifying language.

Amendment to Rule 259.01 (CF2) Clark Fork River to update the dates from Memorial Day through December 31 to the correct dates of the Friday preceding Memorial Day through November 30.

Amendments to Rules 259.04 Other –Table to increase the maximum number of operators from one to two for Lake Coeur d’Alene, Priest Lake, and Lake Pend Orielle.

Amendment to Rule 259.02 Licensable Waters – River Sections (MF1) Middle Fork Salmon River through (SE2) Selway River – Table to add the Little Salmon River above the mouth of Rapid River to Licensable Waters.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING DRAFT COPIES: For assistance on technical questions concerning this negotiated rulemaking, contact Krissy Veseth, Bureau Chief, at (208) 577-2491. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the following DOPL website: <https://dopl.idaho.gov/rulemaking/>.

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 19, 2024.

DATED this 3rd day of June, 2024.

Krissy Veseth
Bureau Chief, Bureau of Administration
11341 W. Chinden Blvd., Bldg. #4
Boise, ID 83714
Phone: (208) 577-2491
Email: krissy.veseth@dopl.idaho.gov

IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES

24.37.01 – RULES OF THE IDAHO REAL ESTATE COMMISSION

DOCKET NO. 24-3701-2401 (ZBR CHAPTER REWRITE)

NOTICE OF INTENT TO PROMULGATE RULES – ZERO-BASED REGULATION (ZBR) 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 67-2604, Idaho Code, Sections 67-9404, 67-9405, 67-9406, 67-9409, and 67-9413, Idaho Code, and 54-2097, Idaho Code.

MEETING SCHEDULE: Public hearings on the negotiated rulemaking will be held as follows. Additional meetings may be scheduled and will be posted on the DOPL website (<https://dopl.idaho.gov/calendar/>) and townhall.idaho.gov.

24.37.01 – Rules of the Idaho Real Estate Commission

June 18, 2024 – 10 a.m. (MT)

**Division of Occupational and Professional Licenses
Chinden Campus Building 4, Soldier Room
11341 W. Chinden Blvd.,
Boise, ID 83714**

[Virtual Meeting Link](#)

Rulemaking meetings will be held in person and via web conferencing to provide a rulemaking platform that enables broad participation by stakeholders from across the state and minimize travel for stakeholders. 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: Those interested in participating in the negotiated rulemaking process are encouraged to attend the scheduled meetings. The telephone and web conferencing information for a specific meeting will be posted at least two days prior to the meeting. For those who cannot participate by attending the meeting, information for submitting written comments is provided below.

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

DESCRIPTIVE SUMMARY 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 being presented as part of the DOPL plan to review each rule chapter every 5 years. There are no specific rulemaking changes planned by DOPL at this time except for evaluation and amendment consistent with the Governor's [Executive Order 2020-01: Zero-Based Regulation](#). It is anticipated that rulemaking stakeholders will propose and advocate for rulemaking changes as part of the negotiated rulemaking process. DOPL intends to carefully consider all changes presented by the public and may propose certain changes so long as they are consistent with the rules' statutory authority and the Governor's Executive Order.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING DRAFT COPIES: For assistance on technical questions concerning this negotiated rulemaking, contact Krissy Veseth, Bureau Chief, at (208) 577-2491. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the following DOPL website: <https://dopl.idaho.gov/rulemaking/>.

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 19, 2024.

DATED this 3rd day of June, 2024.

Krissy Veseth
Bureau Chief, Bureau of Administration
11341 W. Chinden Blvd., Bldg. #4
Boise, ID 83714
Phone: (208) 577-2491
Email: krissy.veseth@dopl.idaho.gov

IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES

24.39.90 – RULES GOVERNING THE DAMAGE PREVENTION BOARD

DOCKET NO. 24-3990-2401 (ZBR CHAPTER REWRITE)

**NOTICE OF INTENT TO PROMULGATE RULES –
ZERO-BASED REGULATION (ZBR) 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 67-2604, Idaho Code, Sections 67-9404, 67-9405, 67-9406, 67-9409, and 67-9413, Idaho Code, as well as Title 55, Chapter 22, Idaho Code, and 55-2203, Idaho Code.

MEETING SCHEDULE: Public hearings on the negotiated rulemaking will be held as follows. Additional meetings may be scheduled and will be posted on the DOPL website (<https://dopl.idaho.gov/calendar/>) and townhall.idaho.gov.

24.39.90 – Rules of the Damage Prevention Board	
June 18, 2024 – 9 a.m. (MT) Virtual Meeting Link	August 13, 2024 – 9 a.m. (MT) Virtual Meeting Link
Division of Occupational and Professional Licenses Chinden Campus Building 4, Soldier Room 11341 W. Chinden Blvd., Boise, ID 83714	

Rulemaking meetings will be held in person and via web conferencing to provide a rulemaking platform that enables broad participation by stakeholders from across the state and minimize travel for stakeholders. 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: Those interested in participating in the negotiated rulemaking process are encouraged to attend the scheduled meetings. The telephone and web conferencing information for a specific meeting will be posted at least two days prior to the meeting. For those who cannot participate by attending the meeting, information for submitting written comments is provided below.

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

DESCRIPTIVE SUMMARY 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 being presented as part of the DOPL plan to review each rule chapter every 5 years. There are no specific rulemaking changes planned by DOPL at this time except for evaluation and amendment consistent with the Governor’s [Executive Order 2020-01: Zero-Based Regulation](#). It is anticipated that rulemaking stakeholders will propose and advocate for rulemaking changes as part of the negotiated rulemaking process. DOPL intends to carefully consider all changes presented by the public and may propose certain changes so long as they are consistent with the rules’ statutory authority and the Governor’s Executive Order.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING DRAFT COPIES: For assistance on technical questions concerning this negotiated rulemaking, contact Krissy Veseth, Bureau Chief, at (208) 577-2491. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the following DOPL website: <https://dopl.idaho.gov/rulemaking/>.

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 August 14, 2024.

DATED this 3rd day of June, 2024.

Krissy Veseth
Bureau Chief, Bureau of Administration
11341 W. Chinden Blvd., Bldg. #4
Boise, ID 83714
Phone: (208) 577-2491
Email: krissy.veseth@dopl.idaho.gov

IDAPA 52 – IDAHO STATE LOTTERY

52.01.03 – RULES GOVERNING OPERATIONS OF THE IDAHO STATE LOTTERY

DOCKET NO. 52-0103-2401

NOTICE OF RULEMAKING – TEMPORARY AND PROPOSED RULE

EFFECTIVE DATE: The effective date of the temporary rule is July 1, 2024.

AUTHORITY: In compliance with Sections 67-5221(1) and 67-5226, Idaho Code, notice is hereby given that this agency has adopted a temporary rule and proposed regular rulemaking procedures have been initiated. The action is authorized pursuant to Section 67-7408(1), Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than June 19, 2024.

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

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

Statute requires Lottery retailers to pay winning ticket prizes up to \$599. However, staffing challenges and increasing threats of robbery create concerns over employee safety. Retailers are often unable to pay prizes under \$600 when presented winning tickets because safety concerns necessitate keeping no more than \$100 in the cash drawer. The retail industry has offered solutions. They have requested the ability to pay lottery prizes up to \$599 with no-fee prepaid prize payment cards. Lottery Administrative Rules allow only for prize payment by cash, money order, or check. Retailers will not pay by check and money orders are obsolete. The problem cannot be solved by non-regulatory measures. Legislative germane committees were in favor of the Prize Payment Card if the reference to EFT, which was included in a prior rulemaking, was removed.

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

Protecting retail associates and their patrons against threats of robbery and ensuring employee safety; and reducing the overall regulatory burden with greater flexibility to benefit the industry.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased: There is no fee associated with any portion of this rule – to either retailer or player/winner.

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

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(2), Idaho Code, negotiated rulemaking was not conducted due to the need for temporary rulemaking. Stakeholders were involved in negotiated rulemaking conducted under docket [52-0103-2301](#) and provided feedback for similar topics in formulating the proposed rule.

INCORPORATION BY REFERENCE: Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule: N/A

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the temporary and proposed rule, contact Director Jeffrey R. Anderson, at 208.780.2500.

Anyone may submit written comments regarding the proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before June 26, 2024.

DATED this May 21, 2024.

Jeffrey R. Anderson
Director
Idaho State Lottery Commission
1199 Shoreline Lane, Suite 100
Boise, ID 83702
Ph. 208.780.2500
Fax 208.344.3522

**THE FOLLOWING IS THE TEMPORARY RULE AND THE PROPOSED TEXT
OF DOCKET NO. 52-0103-2401
(Only Those Sections With Amendments Are Shown.)**

000. LEGAL AUTHORITY.

~~These rules are adopted under the general legal authority of Title 67, Chapter 74, Idaho Code, and the specific legal authority of Sections 67-7401, 67-7404, 67-7406, 67-7408, and 67-7411, Idaho Code.~~ (3-25-22)(7-1-24)T

001. TITLE AND SCOPE.

~~The title of these rules is IDAPA 52.01.03, "Rules Governing Operations of the Idaho State Lottery." The rules govern operations of the Idaho State Lottery. The rules also set forth which bingo games and raffles are legal in the state of Idaho and to bring all legal bingo games and raffles in the state of Idaho under the control of the Lottery.~~ (3-25-22)(7-1-24)T

002. -- 009. (RESERVED)

010. DEFINITIONS.

As used throughout these rules these terms have the following definitions: (3-25-22)

~~**01. Commission.** The Idaho State Lottery Commission established and appointed according to Sections 67-7402, 67-7404(2) and 67-7405, Idaho Code. See Section 67-7702(4), Idaho Code.~~ (3-25-22)

021. Commissioner. A member of the Idaho State Lottery Commission. (3-25-22)

~~**032. Director.** The Director of the State Lottery appointed and confirmed according to Section 67-7407, Idaho Code.~~ (3-25-22)

~~**043. Lottery.** The Idaho State Lottery created by Section 67-7402, Idaho Code, and, as context requires, the Lottery Commission and the Lottery's officers and employees.~~ (3-25-22)

~~**05. Person.** See definition in Section 67-7702, Idaho Code.~~ (3-25-22)

011. -- 099. (RESERVED)

SUBCHAPTER B – OPERATIONS OF THE IDAHO STATE LOTTERY

100. DEFINITIONS.

These rules apply to Subchapter B only: (3-25-22)

~~**01. Administrative Costs.** See definition in Section 67-7404, Idaho Code.~~ (3-25-22)

- 021. Benefit.** Any thing, property or money, favorable consideration or advantage, profit, privileges, gain or interest to which a person is not otherwise entitled. (3-25-22)
- 032. Certificate.** The signed document issued by the Director authorizing a retailer to sell Lottery products. (3-25-22)
- 043. Control Person.** A person in a position of authority that is primarily defined according to organizational type. The following are control persons: (3-25-22)
- a.** In a privately-owned corporation, the officers, directors, and stockholders of the parent company who own five percent (5%) or more of the company's stock and, if applicable, any of its subsidiaries. (3-25-22)
 - b.** In a publicly-owned corporation, the officers and directors of the parent company and each of its subsidiaries. Additionally, stockholders who own five percent (5%) or more of the corporation's stock are control persons. (3-25-22)
 - c.** In a trust, the trustee and all persons entitled to receive income or benefit from the trust. (3-25-22)
 - d.** In an association, the members, officers, and directors. (3-25-22)
 - e.** In a partnership or joint venture, the general partners, limited partners, or joint venturers. (3-25-22)
 - f.** A member of the immediate family of any of who is a control person under Paragraphs 010.06.a. through 06.e. of this definition. (3-25-22)
 - g.** A subcontractor of a vendor if the subcontractor performs more than half of the vendor's contract with the Lottery. (3-25-22)
- 054. Executive Staff.** The director of Lottery Security Division and the deputy directors appointed by the Director. (3-25-22)
- 065. Expenses.** See definition in Section 67-7404, Idaho Code. (3-25-22)
- 076. Fiscal Year.** The Lottery's fiscal year of twelve (12) months beginning on July 1 and ending on June 30. (3-25-22)
- 087. Gift.** A transfer, exchange or delivery of anything, property or money, of any value whatsoever, with or without an expectation by the giver to receive anything, tangible or intangible, in return. (3-25-22)
- 098. Immediate Family.** A natural person's spouse, children, brother, sister, or parent by blood, marriage, or adoption who resides as a member of the same household in the principal place of residence of any contractor, vendor, retailer, member, or employee of the State Lottery. (3-25-22)
- 109. Instant Game.** A game in which a ticket is purchased and upon removal of a latex or similar secure covering on the front of the ticket, the ticket bearer determines his or her winnings, if any. (3-25-22)
- 110. Invitation to Bid.** The solicitation of competitive offers in which specifications, price, and delivery (or project completion) will be the predominant award criteria. (3-25-22)
- 121. Lottery Contract or Contract.** Any contract entered into either by the Lottery or for the Lottery by another public agency, for the purchase, lease, or sale of goods or services. (3-25-22)
- 132. Lottery Contractor or Contractor.** See definition in Section 67-7404, Idaho Code. (3-25-22)
- 143. Lottery Employee or Employee.** Any person who works full- or part-time for the Lottery. (3-25-22)

- 154. Lottery Game or Game.** Any procedure authorized by the Commission whereby prizes are distributed among persons who have paid, or unconditionally agreed to pay, for tickets or shares which provide the opportunity to win such prizes. Lottery game themes must be approved by the Commission, be consonant with the dignity of the state. (3-25-22)
- 165. Lottery Game Retailer or Retailer.** See definition in Section 67-7404, Idaho Code. (3-25-22)
- 176. Lottery Revenue.** See definition in Section 67-7404, Idaho Code. (3-25-22)
- 187. Lottery Vendor or Vendor.** See definition in Section 67-7404, Idaho Code. (3-25-22)
- 198. Low, Medium and High Tier Claims.** See definition in Section 67-7404, Idaho Code. (3-25-22)
- 2019. Major Procurement.** See definition in Section 67-7404, Idaho Code. (3-25-22)
- 240. Net Income.** See definition in Section 67-7404, Idaho Code. (3-25-22)
- 221. On-Line System.** The Lottery’s on-line computer wagering system consisting of ticket issuing terminals, central processing equipment, and a communications network. (3-25-22)
- 232. Play Symbols.** The numbers or symbols appearing in the designated area under the removable covering on the front of the ticket. (3-25-22)
- 243. Prize.** Any award, financial or otherwise, awarded by the Director for successfully playing a Lottery game. (3-25-22)
- 254. Redemption Value.** See definition in Section 67-7404, Idaho Code. (3-25-22)
- 265. Request for Proposal.** The solicitation of competitive proposals, or offers, to be used in part as a basis for making an acquisition, or entering into a contract, when specification and price will not necessarily be the predominant award criteria. (3-25-22)
- 276. Retailer Validation Code.** The symbols found under the removable rub-off covering over the play symbols on the front of each ticket. (3-25-22)
- 287. Sensitive Procurement.** Those procurement actions or contracts, other than “major procurements,” that may either directly or indirectly affect the integrity, security, honesty, and fairness of the operation and administration of the Lottery. A typical example of this class of procurement is the acquisition of security systems that protect the security and integrity of the Lottery. (3-25-22)
- 298. Share.** See definition in Section 67-7404, Idaho Code. (3-25-22)
- 3029. State Lottery Act of 1988 or Act.** The Act approved by the legislature creating the Lottery, which became effective November 23, 1988, as amended, which is codified at Title 67, Chapter 74, Idaho Code. (3-25-22)
- 340. Subcontractor.** Any third party not in the employment of a contractor, who is performing all or part of the work in the contractor’s agreement with the Lottery under a separate contract with the contractor. The term “subcontractor” means subcontractor of any tier. (3-25-22)
- 321. Temporary Retailer.** A retailer under contract with the Lottery for a temporary or seasonal period. A temporary contract may be subject to special conditions or limitations that the Director deems prudent. These limitations or conditions may include, but are not limited to: (3-25-22)
- a. Length of ticket sale period; (3-25-22)
 - b. Hours or days of sale; (3-25-22)

- c. Location of sale; (3-25-22)
 - d. Specific persons who may sell Lottery tickets; (3-25-22)
 - e. Specific sporting, charitable, social, or other special events where Lottery tickets may be sold. (3-25-22)
- 332. Provisional Retailer.** A retailer granted a provisional certificate in accordance with these rules. A provisional certificate may contain some or all of the restrictions of a temporary retailer and additional restrictions deemed necessary by the Director. (3-25-22)
- 343. Ticket.** See definition in Section 67-7404, Idaho Code. (3-25-22)
- 354. Ticket Bearer.** The person who has signed the ticket or has possession of the unsigned ticket. (3-25-22)
- 365. Ticket Validation Number or Validation Number.** The multidigit number found on the front of the ticket. It is either uncovered or found underneath the “Do Not Remove” area on the ticket or any stub. (3-25-22)
- 376. Total Annual Revenue or Annual Revenue.** The sum of all of the Lottery’s proceeds and accrued income that is characterized as a reduction or recovery of expenses. (3-25-22)
- 387. Unclaimed Prize.** Any award, financial or otherwise, of more than twenty-five dollars (\$25) for which there is physical, tangible evidence of eligibility but for which the prize has not been paid within one (1) year. (3-25-22)
- 398. Value.** See definition in Section 67-7404, Idaho Code. (3-25-22)

(BREAK IN CONTINUITY OF SECTIONS)

202. GENERAL INSTANT TICKET GAME OPERATING RULES.

- 01. Instant Games -- Authorized -- Director’s Authority.** The Commission hereby authorizes instant games that meet the criteria set forth in these rules. The Director is hereby authorized to select, operate, and contract relating to and for the operation of instant games that meet the criteria set forth in these rules. (3-25-22)
- 02. Definitions.** As used in Section 202 of these rules, these terms have the following definitions: (3-25-22)
- a. Instant Ticket Validation Bar Code. The bar code that enables retailers to validate instant tickets. (3-25-22)
 - b. ITA System. The Instant Ticket Automation system that validates winning instant tickets. (3-25-22)
 - c. Pack. A package of instant game tickets with a designated number of tickets that may be (but do not have to be) fanfolded and attached to each other by perforations, which perforations the retailer tears when selling a ticket, and that are packaged in plastic shrink-wrapping, foil or some similar outer wrapping material. (3-25-22)
 - d. Pack-Ticket Number. The number printed on the ticket. A game identification number must be included in the book-ticket number. (3-25-22)
 - e. Play Symbol Caption. The small printed material appearing below each play symbol which repeats or explains the play symbol. One (1) and only one (1) play symbol captions appears under each play symbol. (3-25-22)

f. Play Symbols. Figures printed in approved ink that appear under each of the rub-off spots on the front of the ticket. (3-25-22)

g. Retailer Validation Code. The small letters found under the removable rub-off covering over the play symbols on the front of the ticket, which the ticket retailer uses to verify winners of twenty-five dollars (\$25) or less. The letters appear in varying locations beneath the removable rub-off covering and among the play symbols. (3-25-22)

h. Ticket. An Idaho instant game ticket. (3-25-22)

i. Ticket Validation Number. The unique number on the front of the ticket. (3-25-22)

03. Sale of Tickets. (3-25-22)

a. No person other than a retailer under a contract for the sale of tickets with the Lottery may sell Lottery tickets, except that nothing in this section prevents a person who may lawfully purchase tickets from making a gift of Lottery tickets to another. (3-25-22)

b. Unless authorized by the Lottery, tickets may not be sold at a location other than the address listed on the retailer's contract with the Lottery. (3-25-22)

c. Nothing in this section prohibits the Commission from designating certain of its agents and employees to sell Lottery tickets directly to the public. (3-25-22)

04. Instant Games Ticket Price. The price of an instant game ticket will be set by the Director. No person may sell a ticket at a price other than that established in accordance with these rules. (3-25-22)

05. Prize Structures. The Director will provide to all Lottery game retailers a detailed tabulation of the estimated number of prizes of each particular prize denomination that are expected to be awarded in each Lottery game and a close approximation of the odds of winning the prizes. (3-25-22)

06. Number and Value of Instant Ticket Prizes. Lottery game prize structures, odds of winning, number of tickets, number and value of prizes, play symbol and captions used for validation will not be adopted by administrative rules. Rather, the Director will submit proposed games to the Commission, who must approve each game's general format before the initiation of each game. All instant games must be conducted in accordance with the rules of the Commission. (3-25-22)

07. Official Start of Game. (3-25-22)

a. Games with a prize structure adopted by the Commission pursuant to Subsection 202.07 of this rule may be started at a time selected by the Director. The Director will publicly announce the starting date of a new game by use of a press release or any other appropriate means. The Director may also issue game information that includes a description of the game, odds of winning a prize, the number and value of prizes, and the play symbols and captions used for prize validation. (3-25-22)

b. Games using a prize structure other than a prize structure previously approved by the Commission must be approved by the Commission before game tickets can be sold to the public. (3-25-22)

08. Determination of Winners. (3-25-22)

a. Winners of an instant game are determined by the matching or specified alignment of the play symbols on the tickets. The play symbols are revealed by scratching or rubbing off the latex or similar secure material that covers spots on the ticket. The ticket bearer must notify the retailer or the Lottery of the win and submit the winning ticket to the retailer or the Lottery as provided in these rules. The winning ticket must be validated by the Lottery through use of the validation number or by any other means specified by the Director. (3-25-22)

b. Unless otherwise provided by game rules, only the highest instant prize amount will be paid on a

given ticket. (3-25-22)

c. No portion of the play symbol captions, retailer validation codes, display printing nor any extraneous matter whatever will be usable or playable as a part of the instant game. (3-25-22)

d. The ticket validation number or any portion thereof is not a play spot and is not usable or playable as such. (3-25-22)

e. In all Lottery games, the determination of prize winners is subject to the general ticket validation requirements set forth in Subsection 200.14, et seq., and Subsection 202.11 of this rule, and the requirements set out on the back of each instant game ticket. (3-25-22)

f. The length of operation of an instant game will be determined by the Director. The start date and closing date of the instant game will be publicly announced. (3-25-22)

09. Payment of Prizes. The procedures for claiming instant ticket prizes are as follows: (3-25-22)

a. Instant ticket prizes of less than six hundred dollars (\$600) may be claimed by one (1) of the following methods: (3-25-22)

i. The claimant may present the winning ticket to any Lottery retailer. The retailer must verify the claim and, if acceptable, make payment of the amount due the claimant. A retailer may pay prizes in cash or by business check, ~~or~~ money order, no fee prize payment card, or any combination thereof. A retailer that pays a prize with a check that is dishonored may be subject to suspension or termination of the retailer's contract. (3-25-22)(7-1-24)T

ii. If the retailer cannot verify the claim, the claimant must fill out a claim form and the retailer must present the completed form and the disputed ticket to the Director. If the claim is validated, ~~a check will be forwarded to the claimant in~~ payment ~~of~~ will be made to the claimant in cash, or by check or money order in the amount due. If the claim is not validated, the claim will be denied and the claimant will be promptly notified. (3-25-22)(7-1-24)T

iii. The claimant may bring present the ticket to the Lottery office or complete a claim form and mail it with the ticket to the Idaho State Lottery (registered mail recommended). Claim forms may be obtained from any Lottery game retailer or from the Lottery. (3-25-22)(7-1-24)T

b. To claim an instant prize of six hundred dollars (\$600) or more, the claimant must either bring present the winning ticket to the Lottery office or complete a claim form and mail the completed form together with the winning ticket to the Idaho State Lottery (registered mail recommended). (3-25-22)(7-1-24)T

c. Prizes of six hundred dollars (\$600) or more can be paid only from the Boise Lottery office. Upon validation by the Director, ~~a check will be forwarded to the claimant in~~ payment ~~of~~ will be made by check or money order in the amount due, less any applicable federal income tax withholding. (3-25-22)(7-1-24)T

d. Any ticket not passing all the validation checks is void and ineligible for any prize and will not be paid. However, the Director may, solely at the Director's option, replace an invalid ticket with an unplayed ticket (or ticket of equivalent sales price from any other current game). If a defective ticket is purchased, the only responsibility or liability of the Lottery is the replacement of the defective ticket with another unplayed ticket (or ticket of equivalent sale price from any other current game). (3-25-22)

e. All prizes will be paid within a reasonable time after they are awarded and after the claims are verified by the Director. For each prize requiring annual payments, all payments after the first payment will be made on the anniversary date of the first payment in accordance with the type of prize awarded. The Director may, at any time, delay any payment in order to review a change of circumstances concerning the prize awarded, the payee, the claim, or any other matter that may have come to his attention. All delayed payments will be brought up to date immediately upon the Director's confirmation and continue to be paid on each original anniversary date thereafter. (3-25-22)

10. Ticket Validation Requirements. In addition to meeting all of the other requirements in these rules or as may be printed on the back of each instant game ticket, the following validation requirements apply with regard to instant game tickets: (3-25-22)

- a. To be a valid instant game ticket, the ticket must: (3-25-22)
 - i. Have been issued by the Director in an authorized manner. (3-25-22)
 - ii. Not be altered, unreadable, or tampered with in any manner. (3-25-22)
 - iii. Not be counterfeit in whole or in part. (3-25-22)
 - iv. Not be stolen nor appear on any list of omitted tickets on file with the Lottery. (3-25-22)
 - v. Be complete and not blank (or partially blank), miscut, misregistered, defective, or printed or produced in error. (3-25-22)
 - vi. Under the opaque covered play area, have play symbols and the correct corresponding captions, exactly one (1) pack-ticket number, exactly one (1) agent verification code, and exactly one (1) validation number as required by each approved set of game rules, all of which must be present in their entirety, legible, right-side up, and not reversed in any manner. (3-25-22)
 - vii. The validation number of an apparent winning ticket must appear on the Lottery's official list of validation numbers of winning tickets; and a ticket with that validation number cannot have been previously paid. (3-25-22)
 - viii. Pass all additional confidential validation requirements established by the Director. (3-25-22)
 - ix. Be signed if the prize is for six hundred dollars (\$600) or more. (3-25-22)
- b. Any ticket not passing all the validation checks in Paragraph 202.11.a. of this rule is void and ineligible for any prize and shall not be paid. However, the Director may, solely at the Director's option, replace an invalid ticket with an unplayed ticket (or tickets of equivalent sales price) from any other current Lottery game. If a defective ticket is purchased, the only responsibility or liability of the Lottery will be the replacement of the defective ticket with another unplayed ticket (or ticket of equivalent sales price from any other current Lottery game). (3-25-22)
- c. The Director may authorize reconstruction of an alleged winning ticket that was not received or cannot be located by the Lottery, provided, the person requesting reconstruction must submit to the Lottery sufficient evidence to enable reconstruction and submit a claim for the prize, if any, for that ticket. If the reconstructed ticket is a winning ticket and meets the validation requirements of Paragraph 202.11.a. of this rule and any specific validation requirements contained in the rules for its specific game, the Director may authorize payment of the prize. Provided, the ticket will not be validated nor the prize paid before the one hundred eighty-first (181) day following the official end of that instant game. A ticket(s) validated pursuant to this Subsection will not entitle the claimant to be entered into the grand prize drawing, if any, for that or any subsequent instant game. (3-25-22)

11. Prize Rights Unassignable. No person's right to a prize already drawn is assignable, except that payment of any prize already drawn may be paid to the estate of a deceased prize winner, and a person other than the prize winner may be paid the prize to which the winner is entitled as provided by court order. The Director will be discharged of all liability upon payment of a prize pursuant to this rule. (3-25-22)

12. Payment of Prizes to Persons Under Eighteen Years of Age. If a person entitled to a prize for a winning ticket is under the age of eighteen (18) years, the Director may direct payment of the prize to an adult member of the minor's family or to the minor's guardian by a check or draft payable to the adult member of the minor's family or the minor's guardian. The adult member of the minor's family or the minor's guardian will have the same duties and powers as a person designated as a custodian in accordance with Idaho law. For purposes of this Subsection, the terms "adult member of a minor's family" and "guardian of a minor" have the same meaning as in the

Idaho Gifts to Minors Law. The Director will be discharged of all liability upon payment of a prize to a minor pursuant to this rule. (3-25-22)

13. Prizes Payable After Death or Disability of Owner. (3-25-22)

a. All prizes, and portions of prizes that remain unpaid at the time of the prize winner's death will be payable to the personal representative of the prize winner's estate once satisfactory evidence of the personal representative's appointment has been provided, and the Director is satisfied that payment to the personal representative is lawful and proper. The Director may rely on a certified copy of a court order appointing a personal representative (or similar person responsible for the prize winner's estate, whether denominated an administrator, executor, executrix, or other representative of the prize winner's estate) or may petition the court to determine the proper payee. Payment to the personal representative of the estate of the deceased owner of any prize winnings will absolve the Director and the Lottery's employees of any further liability for payment of prize winnings. (3-25-22)

b. The Lottery may petition any court of competent jurisdiction for a determination of the rightful payee for the payment of any prize winnings that are or may become due to a person under a disability including, but not limited to, mental deficiency, or physical or mental incapacity. (3-25-22)

14. Governing Law. In purchasing a ticket, the customer agrees to comply with, and abide by, Idaho law, and all rules and final decisions of the Lottery, and all procedures and instructions established by the Lottery or the Director for the conduct of the game. (3-25-22)

15. Discharge of All Liability Upon Payment. The state of Idaho, its agents, officers, employees, and representatives, the Lottery, its Director, agents, officers, employees and representatives, will be discharged of all liability upon payment of a prize or any one (1) installment thereof to the holder of any winning Lottery ticket or in accordance with the information set forth on the claim form supplied by the Director. If there is a conflict between the information on a winning Lottery ticket and the information on the claim form, the Lottery may rely on the claim form after the ticket for which it has been filed has been validated as a winning ticket and, in so doing, it will be relieved of all responsibility and liability in the payment of a prize in accordance with the information set forth therein. The Lottery's decisions and judgments in respect to the determination of a winning ticket or of any other dispute arising from payment or awarding of prizes are final and binding upon all participants in the Lottery unless otherwise provided by law or these rules. If a question arises concerning the winning ticket, a claim form, the payment, or the awarding of any prize, the Lottery may deposit the prize winnings into an escrow fund until it determines the controversy and reaches a decision, or it may petition a court of competent jurisdiction for instructions and a resolution of the controversy. (3-25-22)

16. Unclaimed Prize Money. Any prize not claimed within the specified period will be forfeited and placed into the State Lottery Account. (3-25-22)

17. Disclosure. The Lottery may use the names, addresses, and photographs of winners in any Lottery promotional or publicity campaign. The address used will not contain the winner's street or house number without the winner's consent. The Lottery may condition payment of the prize upon agreement to these terms and conditions. (3-25-22)

18. Confidentiality of Tickets. All retailers and their employees and agents are prohibited from attempting to ascertain the numbers or symbols appearing in the designated areas under the removable latex or similar secure coverings or otherwise attempting to identify winning tickets. (3-25-22)

19. Official End of Game. (3-25-22)

a. The official end of an instant game will be announced by the Lottery. Prizes may be claimed up to one hundred eighty (180) days after the official end of the game. If the final day of the claim period falls on a Saturday, Sunday or a state holiday, the claim period will be extended to the end of the next business day. A player may submit a winning ticket claim for prize payment up to one hundred eighty (180) days after the official end of the game. Depending on the prize amount, the ticket should be submitted to the location specified in Subsection 202.10 of this rule, "Payment of Prizes." To participate in one (1) of the Lottery's special drawings, if any, a player must redeem a ticket that qualifies for entry into that special drawing within the time limits specified by the Director.

(3-25-22)

b. A retailer must return to the Lottery all unsold Lottery tickets for each game within ninety (90) days of the official end of that game in order to receive credit from the Lottery as provided in retailer's contract. The Lottery has no obligation to grant credit for tickets returned after the time limit specified in the contract. (3-25-22)

203. (RESERVED)

204. ON-LINE COMPUTER GAMES.

01. On-Line Games -- Authorized -- Director's Authority. The Commission hereby authorizes the Director to select and operate on-line games which meet the criteria set forth in these rules. (3-25-22)

02. Definitions. As used in Rule 204 these terms have the following definitions: (3-25-22)

a. "Drawing." The procedure determined by the Director by which the Lottery selects the winning combination in accordance with the rules of the game. Drawings are open to the public. (3-25-22)

b. "On-line Game." (3-25-22)

i. A Lottery game in which a player selects a combination of numbers or symbols, the type of game and amount of play, and the drawing date by use of a computer. In return for paying the appropriate price, the player receives a computer-generated ticket with the player's selection printed on it. Each ticket bearer whose valid ticket includes a winning combination will be entitled to a prize if claim is submitted within the specified time period. (3-25-22)

ii. On-line terminal (OLT) instant ticket game having characteristics as defined in Paragraphs 202.02.a., 202.02.b., 202.02.d. and 202.02.i. of these rules. (3-25-22)

c. "On-line Retailer." A person or business authorized by the Lottery to sell on-line tickets. (3-25-22)

d. "On-line Terminal (OLT)." The computer hardware by which an on-line retailer or player enters the combination selected by the player and by which on-line tickets are generated and claims are validated. (3-25-22)

e. "On-line Ticket." A computer-generated ticket issued by an on-line terminal to a player as a receipt for the combination a player has selected. That ticket is the only acceptable evidence of the combination of numbers or symbols selected. (3-25-22)

f. "Ticket Bearer." The person who has signed the on-line ticket or who has possession of an unsigned ticket. (3-25-22)

g. "Validation." The process of determining whether an on-line ticket presented for payment is a winning ticket. (3-25-22)

h. "Winning Combination." One (1) or more numbers or symbols randomly selected by the State Lottery or its designee in a public drawing. (3-25-22)

03. Distribution of Tickets. (3-25-22)

a. Tickets will be sold by retailers selected by the Director. (3-25-22)

b. The Director is authorized to arrange for the distribution of OLTs, player-activated terminals (PATs), ticket stock, and supplies to certificated retailers. (3-25-22)

04. Sale of Tickets. (3-25-22)

a. No person other than a retailer under a contract for the sale of tickets with the Lottery may sell on-

line Lottery tickets, except that nothing in this section will be construed to prevent a person who may lawfully purchase tickets from making a gift of Lottery tickets to another. (3-25-22)

b. Tickets may not be sold at a location other than the address listed on the retailer's contract with the Lottery. (3-25-22)

c. Nothing in this section prohibits the Director from designating certain of its agents and employees to sell Lottery tickets directly to the public. (3-25-22)

05. On-Line Games Criteria. (3-25-22)

a. The base price of an on-line ticket will not be less than fifty cents (\$.50), except to the extent of discounts authorized by the Commission. (3-25-22)

b. The price for a ticket in any particular on-line game will be set out in the game rules adopted by the Commission for that game. No person may sell a ticket at a price other than that established in accordance with these rules. On the average, the total of all prizes available to be won in an on-line game will not be less than forty-five percent (45%) of the on-line game's projected revenue. (3-25-22)

c. The manner and frequency of drawings may vary with the type of on-line game as defined in Subparagraph 204.02.b.i. of these rules. (3-25-22)

d. The times, locations, and drawing procedures will be determined by the Director. (3-25-22)

e. OLT instant ticket game as defined in Subparagraph 204.02.b.ii. of these rules will operate with a finite number of tickets per game and a predetermined and guaranteed prize structure approved by the Director. (3-25-22)

f. A ticket bearer entitled to a prize must submit the winning ticket as specified by the Director. The winning ticket must be validated by the Lottery or an on-line retailer through use of the validation number and any other means specified by the Director. (3-25-22)

06. Payment of Prizes. (3-25-22)

a. To claim an on-line game prize of less than six hundred dollars (\$600) the claimant may present the winning on-line ticket to any on-line retailer, or to the Lottery office: (3-25-22)

i. If the claim is presented to an on-line retailer, the on-line retailer must validate the claim and, if determined to be a winning ticket, pay the amount due the claimant as set forth in Rule 204.10.b. If the on-line retailer cannot validate the claim, the claimant may obtain and complete a claim form and submit it with the disputed ticket to the Lottery by mail or in person. Upon determination that the ticket is a winning ticket, the Lottery will present or mail a check to the claimant in make payment of the amount due in cash, by check, or money order. If the ticket is determined to be a non winning ticket, the claim will be denied and the claimant will be promptly notified. Non-winning tickets will not be returned to the claimant. (3-25-22)(7-1-24)T

ii. If the claim is presented to the Lottery office, the claimant will be required to complete a claim form and submit it with the winning ticket, either by mail or in person. Upon determination that the ticket is a winning ticket, the Lottery will present or mail a check to the claimant in make payment of the amount due in cash, by check, or money order, less any withholding required by the Internal Revenue Code. If the ticket is determined to be a non-winning ticket, the claim will be denied and the claimant will be promptly notified. Non-winning tickets will not be returned to the claimant. (3-25-22)(7-1-24)T

b. To claim an on-line prize of six hundred dollars (\$600) or more, the claimant must obtain and complete a claim form and submit it with the winning ticket to the Lottery office by mail or in person. Prizes of six hundred dollars (\$600) or more can be paid only from the Lottery office. Upon determination that the ticket is a winning ticket, the Lottery will present or mail a check to the claimant in make payment of the amount due by check or money order, less any withholding required by the Internal Revenue Code and the state of Idaho. The amount due

will be calculated according to the rules adopted for the particular on-line game. If the ticket is determined to be a non-winning ticket, the claim will be denied and the claimant will be promptly notified. Non-winning tickets will not be returned to the claimant. ~~(3-25-22)~~(7-1-24)T

c. All prizes must be claimed within one hundred eighty (180) days from the drawing in which the prize was won. If the final day of the one hundred eighty (180) day period falls on a Saturday, Sunday or a state holiday, the claim period will be extended to the end of the next business day. Any prize not claimed within the specified period will be forfeited and placed into the State Lottery account. (3-25-22)

07. Drawings and End of Sales Prior to Drawings. (3-25-22)

a. Drawings will be conducted in a location and at days and times designated by the Director. (3-25-22)

b. For each type of on-line game, the Director will establish a time before the drawing for the end of sales. (3-25-22)

c. The Director will designate the type of equipment to be used and will establish procedures to randomly select the winning combination for each type of on-line game. Drawing procedures will include provisions for the substitution of backup drawing equipment if the primary drawing equipment malfunctions or fails for any reason. (3-25-22)

d. The equipment used to determine the winning combination will not be electronically or otherwise connected to the central computer or to any tapes, discs, files, etc., generated or produced by the central computer. The drawing results, including sales, number of winners and numbers drawn, will be audited and reviewed after each drawing to assure proper operation and lack of tampering or fraud. (3-25-22)

e. All drawings may be broadcast live on television, provided the facilities for such broadcasts are available and operational and can be done at a reasonable cost. (3-25-22)

f. The Director will establish procedures governing the conduct of drawings for each type of on-line game. The procedures must include provisions for deviations that include but are not limited to: (3-25-22)

i. Malfunction of the drawing equipment before determination of the winning combination; (3-25-22)

ii. Fouled drawing; (3-25-22)

iii. Delayed drawing; and (3-25-22)

iv. Other equipment, facility or personnel difficulties. (3-25-22)

g. If a deviation occurs, the drawing will be completed under the supervision of the Lottery or its designee. The winning combination will be provided to the public. (3-25-22)

h. If, during any live-broadcast drawing for a game, a mechanical failure or operator error causes an interruption in the selection of all numbers or symbols, a “foul” will be called by Lottery security or the Lottery’s designee. Any number drawn before a “foul” is called will stand and be deemed official after passing inspection and certification by Lottery security or the Lottery’s designee. (3-25-22)

i. The Director will delay payment of all prizes if any evidence exists or there are grounds for suspicion that tampering or fraud has occurred. Payment will be made after an investigation is completed and the drawing approved by Lottery security or the Lottery’s designee. If the drawing is not approved, it will be void and another drawing will be conducted to determine the actual winner. (3-25-22)

08. Validation Requirements. (3-25-22)

- a. To be a valid winning on-line ticket, the ticket must: (3-25-22)
 - i. Have all printing on the ticket in its entirety, be legible, and correspond, using the computer validation file, to the combination and the date printed on the ticket. (3-25-22)
 - ii. Be intact, not be mutilated, altered, or tampered with in any manner. (3-25-22)
 - iii. Not be counterfeit or an exact duplicate of another winning ticket. (3-25-22)
 - iv. Have been issued by an authorized on-line retailer or dispensed by a player-activated terminal in an authorized manner. (3-25-22)
 - v. Not have been stolen or cancelled. (3-25-22)
 - vi. Not have been previously paid. (3-25-22)
 - vii. Pass all other confidential security checks of the Lottery. (3-25-22)
 - viii. Be signed if the prize is for six hundred dollars (\$600) or more. (3-25-22)
 - b. A ticket failing any of the validation requirements listed in Paragraph 204.08.a. of this rule is invalid and ineligible for a prize. The final decision on whether a prize is paid will be made by the Director. (3-25-22)
 - c. If there is a dispute between the Director and a claimant whether a ticket is a winning ticket, and if the Director determines that the ticket is not valid and a prize is not paid, the Director may replace the disputed ticket with a ticket of equivalent sales price for a future drawing of the same type of game. This will be the sole and exclusive remedy of the claimant. (3-25-22)
 - d. If a defective on-line ticket is purchased, the only responsibility or liability of the Lottery or of the on-line retailer is the replacement of the defective on-line ticket with another on-line ticket of equivalent value for a future drawing of the same type of game. (3-25-22)
- 09. Retailer Duties.** Retailers with an on-line terminal (OLT) must perform the following duties: (3-25-22)
- a. Pay costs associated with providing a telephone line or internet or similar connection that must be located as specified by the Lottery. Payment of the telephone line or internet or similar connection is nonrefundable after installation, except if the Lottery denies, through no fault of retailer, the installation of the on-line terminal. (3-25-22)
 - b. Pay the Lottery for the local monthly telephone or internet or similar charges per OLT as specified by the Lottery. The Lottery will pay for the mileage charges (if any) between the retailer's location and the Lottery's central site. (3-25-22)
 - c. Hold funds generated from the sale of on-line tickets in trust for the Lottery. At a time specified by the Lottery, the retailer must pay these funds to the Lottery plus the monthly communications charge specified above in Paragraph 204.09.b. of this rule, less: (3-25-22)
 - i. Prizes paid; (3-25-22)
 - ii. Any credit; and (3-25-22)
 - iii. The retailer discount. (3-25-22)
 - d. Locate the OLT within the retailer's premises at a point-of-sale location approved by the Lottery. The retailer is prohibited from moving an OLT unless the retailer follows the procedures established by the Director.

including reimbursing the State Lottery for any telephone or internet or similar charges associated with the change of OLT location if the retailer requested the change. (3-25-22)

e. Provide dedicated AC power to within approximately five (5) feet of the terminal. Dedicated AC power means that there is no other equipment on the line that is to be used for the on-line terminal. The retailer is responsible for all costs associated with providing dedicated AC power. The Lottery will provide a schematic of outlet requirements to the retailer's electrical contractor. (3-25-22)

f. Sell all Lottery games, including but not limited to instant game tickets offered by the Lottery. The retailer agrees to continue the sale of instant tickets from all cash registers or other points of purchase. (3-25-22)

g. Conduct the sale of on-line tickets during all hours and days that the retailer's business is open and the on-line system is functioning. The retailer must post the hours that redemption of winning tickets may take place if these hours are different from the retailer's normal business hours. The retailer must monitor ticket supply levels and give timely notice when any item is in short supply. (3-25-22)

h. Post winning numbers prominently where tickets are sold as soon as possible following the drawing. (3-25-22)

i. Provide secure storage for OLT supplies and a secure area for the OLT. (3-25-22)

j. Exercise due diligence in the operation of the OLT and immediately notify the Lottery and the central computer facility of any telephone line, internet, radio, or OLT malfunction, such as the issuance of invalid on-line Lottery ticket, inability to sell or redeem an on-line ticket, and non-issuance of an on-line ticket. The retailer is prohibited from performing mechanical or electrical maintenance on the OLT. (3-25-22)

k. Replace ribbons and on-line or instant ticket stock and clear paper jams as required for the OLT per the instructions provided by the Lottery. (3-25-22)

l. Pay, without reimbursement, all electricity charges in connection with the operation of OLT. (3-25-22)

10. Payment of Prizes by On-Line Retailers. (3-25-22)

a. An on-line retailer must pay to the ticket bearer on-line games prizes of less than six hundred dollars (\$600) for any validated claims presented to that on-line retailer. These prizes must be paid during all normal business hours of the on-line retailer, unless redemption hours differ from normal business hours that have been posted pursuant to Paragraph 204.09.g. of this rule, provided, that the on-line system is operational and claims can be validated. (3-25-22)

b. An on-line retailer may pay prizes in cash or by business check, certified check, money order, or any combination thereof. An on-line retailer that pays a prize with a check that is dishonored may be subject to suspension or termination of its contract. (3-25-22)

11. Retailer Settlement. (3-25-22)

a. On-line retailers must establish an account for deposit of monies derived from on-line games with a financial institution that has the capability of electronic funds transfer (EFT). (3-25-22)

b. The amount deposited must be sufficient to cover monies due the Lottery. The Lottery will withdraw by EFT the amount due the Lottery on the day specified by the Director. If the day specified for withdrawal falls on a state holiday, withdrawal may be delayed until the next business day. (3-25-22)

12. Prize Rights Unassignable. No right of any person to a prize drawn is assignable, except that payment of any prize drawn may be paid to the estate of a deceased prize winner, and that any person may be paid the prize to which the winner is entitled pursuant to an appropriate judicial order. The Director will be discharged of all liability upon payment of a prize pursuant to this rule. (3-25-22)

13. Payment of Prizes to Persons Under Eighteen Years of Age. If a person entitled to a prize for a winning ticket is under the age of eighteen (18) years, the Director may direct payment of the prize to an adult member of the minor's family or to the minor's guardian by a check or draft payable to the adult member of the minor's family or to the minor's guardian. The adult member of the minor's family or the minor's guardian will have the same duties and powers as a person designated as a custodian in accordance with Idaho Law. For purposes of this Subsection the terms "adult member of a minor's family" and "guardian of a minor" have the same meaning as in the Idaho Gifts to Minors Law. The Director will be discharged of all liability upon payment of a prize to a minor pursuant to this rule. (3-25-22)

14. Prizes Payable After Death or Disability of Owner. (3-25-22)

a. All prizes, and portions of prizes, that remain unpaid at the time of the prize winner's death will be payable to the personal representative of the prize winner's estate once satisfactory evidence of the personal representative's appointment has been provided, and the Director is satisfied that payment to the personal representative is lawful and proper. The Director may rely on a certified copy of a court order appointing of a personal representative (or similar person responsible for the prize winner's estate, whether denominated an administrator, executor, executrix, or other representative of the prize winner's estate) or may petition the court to determine the proper payee. Payment to the personal representative of the estate of the deceased owner of any prize winnings will absolve the Director and the Lottery's employees of any further liability for payment of prize winnings. (3-25-22)

b. The Lottery may petition any court of competent jurisdiction for a determination of the rightful payee of any prize winnings that are or may be due to a person under a disability including, but not limited to, minority, mental deficiency, physical or mental incapacity. (3-25-22)

15. Discharge of State Lottery Upon Payment. The state of Idaho, its agents, officers, employees and representatives, the Lottery, its Director, agents, officers, employees and representatives are discharged of all liability upon payment of a prize or any one (1) installment thereof to the holder of any winning Lottery ticket or in accordance with the information set forth on the claim form supplied by the Director. If there is a conflict between the information on a winning Lottery ticket and the information on the claim form, the Lottery may rely on the claim form after the ticket for which it has been filed has been validated as a winning ticket and, in so doing, it will be relieved of all responsibility and liability in the payment of a prize in accordance with the information set forth therein. The Lottery's decisions and judgments in respect to the determination of a winning ticket or of any other dispute arising from payment or awarding of prizes will be final and binding upon all participants in the Lottery unless otherwise provided by law or these rules. If a question arises concerning the winning ticket, a claim form, the payment, or the awarding of any prize, the Lottery may deposit the prize winnings into an escrow fund until it determines the controversy and reaches a decision, or it may petition a court of competent jurisdiction for instructions and a resolution of the controversy. (3-25-22)

16. Disclosure. The Lottery may use the names, addresses, and photographs of winners in any Lottery promotional or publicity campaign. The address used will not contain the winner's street or house number without the winner's consent. The Lottery may condition payment of the prize upon agreement to these terms and conditions. (3-25-22)

IDAPA 58 – DEPARTMENT OF ENVIRONMENTAL QUALITY

58.01.03 – INDIVIDUAL/SUBSURFACE SEWAGE DISPOSAL RULES AND RULES FOR CLEANING OF SEPTIC TANKS

DOCKET NO. 58-0103-2301 (ZBR CHAPTER REWRITE)

NOTICE OF RULEMAKING – PROPOSED RULE

AUTHORITY: In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking. This action is authorized by Chapters 1 and 36, Title 39, Idaho Code.

PUBLIC HEARING SCHEDULE: No hearings have been scheduled. Pursuant to Section 67-5222(2), Idaho Code, a public hearing will be held if requested in writing by twenty-five (25) persons, a political subdivision, or an agency. Written requests for a hearing must be received by the undersigned on or before June 19, 2024. If no such written request is received, a public hearing will not be held. Two public meetings were held during the negotiated rulemaking process.

DESCRIPTIVE SUMMARY: DEQ initiated this rulemaking in compliance with [Executive Order No. 2020-01](#), Zero-Based Regulation (EO 2020-01), issued by Governor Little on January 16, 2020. Pursuant to EO 2020-01, each rule chapter effective on June 30, 2020, shall be reviewed by the agency that promulgated the rule. The review will be conducted according to a schedule established by the Division of Financial Management, Office of the Governor (DFM), posted at https://adminrules.idaho.gov/forms_menu.html. This is one of the DEQ rule chapters up for review in 2024. The goal of the rulemaking is to perform a critical and comprehensive review of the entire chapter in an attempt to reduce overall regulatory burden, streamline various provisions, and increase clarity and ease of use.

Major proposed changes to the rule include removing and replacing definitions, revising and simplifying septic tank approvals, removing specific requirements for large septic tanks, reducing setbacks to surface water, combining the cleaning of septic tanks sections into one section, simplifying the permitting process for service providers, and identifying certain provisions of the Technical Guidance Manual for Individual and Subsurface Sewage Disposal Systems to be moved into the rule.

The proposed rule text is in legislative format. Language the agency proposes to add is underlined. Language the agency proposes to delete is struck out. It is these additions and deletions to which public comment should be addressed. If adopted by the Idaho Board of Environmental Quality and approved by concurrent resolution of the 2025 Idaho State Legislature, the rule will become effective on July 1, 2025, unless otherwise specified in the concurrent resolution.

FISCAL IMPACT STATEMENT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year resulting from this rulemaking: Not applicable.

NEGOTIATED RULEMAKING: Negotiated rulemaking was conducted pursuant to Section 67-5220, Idaho Code. On September 6, 2023, the Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking was published in the Idaho Administrative Bulletin. At the conclusion of the negotiated rulemaking process, DEQ submitted the draft rule to the Division of Financial Management for review. DEQ formatted the draft for publication as a proposed rule and is now seeking public comment. The negotiated rulemaking record, which includes the negotiated rule drafts, documents distributed during the negotiated rulemaking process, and the negotiated rulemaking summary, is available at <https://www.deq.idaho.gov/individual-subsurface-sewage-disposal-docket-no-58-0103-2301/>.

INCORPORATION BY REFERENCE: Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule: Not applicable.

IDAHO CODE SECTION 39-107D STATEMENT: This rule regulates an activity not regulated by the federal government. Chapters 1 and 36, Title 39, Idaho Code, grant authority to the Board to adopt rules and standards to protect the environment and health of the state of Idaho for the installation of cottage site sewage treatment facilities and for the issuance of pollution source permits.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on questions concerning this rulemaking, contact Peter Adams at peter.adams@deq.idaho.gov or (208)954-1438.

SUBMISSION OF WRITTEN COMMENTS: Anyone may submit written comments regarding this proposed rule. The Department will consider all written comments received on or before June 26, 2024. Submit written comments to:

Peter Adams
Department of Environmental Quality
1410 N. Hilton, Boise, ID 83706
peter.adams@deq.idaho.gov

Dated this 5th day of June, 2024

Janeena White
Senior Operations Analyst
Department of Environmental Quality
1410 N. Hilton Street
Boise, Idaho 83706
208-373-0151
Janeena.White@deq.idaho.gov

THE FOLLOWING IS THE PROPOSED TEXT OF DOCKET NO. 58-0103-2301
(ZBR Chapter Rewrite.)

58.01.03 – INDIVIDUAL/SUBSURFACE SEWAGE DISPOSAL RULES
AND RULES FOR CLEANING OF SEPTIC TANKS

000. LEGAL AUTHORITY.

~~Title 39, Chapter 1 and Title 39, Chapter 36, Idaho Code, grants authority to the Board of Environmental Quality to adopt rules and standards to protect the environment and the health of the State, for the installation of cottage site sewage treatment facilities and for the issuance of pollution source permits. Title 39, Chapter 1, Idaho Code, grants to the Director the authority to issue pollution source permits; charges the Director to enforce all laws, rules, regulations, and standards relating to environmental protection and health, and those relating to the storage, handling and transportation of solids, liquids and gases which may cause or contribute to water pollution, and authorizes the Department of Environmental Quality to review for approval the plans and specifications for all proposed waste treatment facilities prior to their construction.~~ (3-31-22)()

001. ~~TITLE~~, SCOPE, CONFLICT, AND RESPONSIBILITIES.

~~**01. Title.** These rules are titled IDAPA 58.01.03, “Individual/Subsurface Sewage Disposal Rules and Rules for Cleaning of Septic Tanks.”~~ (3-31-22)

~~**02. Scope.** The provisions of ~~t~~These rules;~~ ()

~~**a.** ~~establish limitations~~ Establish limits on the construction and use of individual and subsurface sewage disposal systems;~~ ()

~~b.~~ ~~and e~~ Establish the requirements for obtaining an installation permit and ~~an installer's~~ registration permits ~~for installers, service providers, and pumpers~~; ()

~~c.~~ ~~These rules a~~ Apply to every individual and every subsurface blackwaste and wastewater treatment system in Idaho; ~~and~~ ()

~~d.~~ ~~These rules also e~~ Establish general requirements for ~~the~~ handling, transportation, and disposal of septic tank wastes ~~and for obtaining a septic tank pumping permit~~. (3-31-22)()

032. Conflict of Rules, Standards, and Ordinances. ~~In any case w~~ Where a provision of these rules ~~is found to be in~~ conflicts with a provision of any state or local zoning, building, fire, safety, or health regulation, standard, or ordinance, the provision that, in the ~~Director's~~ judgment ~~of the Director~~, establishes the higher standard for ~~the promotion and protection of~~ ~~promoting and protecting~~ the health and safety of the people, ~~shall~~ prevail. (3-31-22)()

043. Responsibilities. (3-31-22)

a. Every owner of real property is jointly and individually responsible for: (3-31-22)

i. Storing, treating, and disposing of blackwaste and wastewater generated on that property. (3-31-22)

ii. Connecting all plumbing fixtures on ~~that the~~ property that discharge wastewaters to an approved wastewater system or facility. (3-31-22)()

iii. Obtaining necessary permits and approvals for ~~installation of~~ ~~installing~~ individual or subsurface blackwaste and wastewater disposal systems. (3-31-22)()

iv. ~~Abandonment of~~ ~~Abandoning~~ an individual or subsurface sewage disposal system. (3-31-22)()

b. Each engineer, building contractor, individual or subsurface ~~disposal~~ system installer, excavator, plumber, supplier, and ~~every other any~~ person, who ~~for compensation shall~~ designs, constructs, abandons, or provides any system or ~~part thereof~~ ~~component~~, is jointly and individually responsible for compliance with ~~each of these all~~ rules ~~that are~~ relevant to that service or product. (3-31-22)()

002. REFERENCED MATERIAL.

01. NSF International. The NSF International (NSF) NSF/ANSI 40: Residential Onsite Systems and NSF/ANSI 245: Nitrogen Reduction are referenced ~~in these rules~~. ~~The NSF/ANSI 40 and NSF/ANSI 245~~ ~~and~~ are available at www.nsf.org/services/by-industry/water-wastewater/onsite-wastewater. (3-31-22)()

02. Technical Guidance Manual for Individual Subsurface Sewage Disposal Systems (TGM). The TGM is referenced ~~in these rules~~ and available at ~~the Idaho~~ Department of Environmental Quality, ~~Surface and Wastewater Division~~, 1410 N. Hilton ~~St.~~, Boise, ID 83706, <https://www.deq.idaho.gov>. (3-31-22)()

003. DEFINITIONS.

~~For the purposes of these rules, the following definitions apply~~ ~~The meanings for the terms "department," "director," and "waters" are in Section 39-103, Idaho Code.~~ (3-31-22)()

01. Abandoned System. A system ~~which has ceased to~~ ~~that no longer~~ receives blackwaste or wastewater due to diversion ~~of those wastes~~ to another treatment system or due to termination of waste flow ~~for more than two (2) years~~. (3-31-22)()

02. Absorption Bed. A drainfield excavation exceeding six (6) feet in width. ()

023. Alternative System. Any system ~~other than a standard system~~ for which the Department has issued

design guidelines or ~~which~~ the Director ~~judges to be~~ determines is a ~~simple~~ modification of a standard system. (3-31-22)()

a. A basic alternative system is any capping fill system, extra drainrock trench, gravelless trench system, steep-slope system, or other system specified in the TGM. ()

b. A complex alternative system is any evapotranspiration system, ETPS, lagoon system, LSAS, pressure distribution system, PWTP system, intermittent sand filter, sand mound, or other system specified in the TGM. ()

~~03. Authorized or Approved.~~ The state of being sanctioned or acceptable to the Director as stated in a written document. (3-31-22)

04. Bedroom. A habitable room within a dwelling that meets state or local building code requirements applicable to bedrooms and includes methods of ingress and egress. The local building authority may designate any additional room as a bedroom. ()

~~045. Blackwaste.~~ Human body waste, specifically excreta or urine. This includes toilet paper and other products used in the practice of personal hygiene As defined in IDAPA 58.01.16, Wastewater Rules. (3-31-22)()

~~056. Blackwater.~~ A wastewater whose principal pollutant is blackwaste; a combination of blackwaste and water As defined in IDAPA 58.01.16, Wastewater Rules. (3-31-22)()

~~06. Board.~~ Idaho State Board Of Environmental Quality. (3-31-22)

~~07. Building Sewer.~~ The extension of the building drain beginning five (5) feet outside the inner face of the building wall. (3-31-22)

~~08. Central System.~~ Any system ~~which that~~ receives blackwaste or wastewater in volumes exceeding twenty-five hundred (2,500) gallons per day; any system ~~which that~~ receives blackwaste or wastewater from more than two (2) dwelling units or more than two (2) buildings under separate ownership. (3-31-22)()

~~09. Construct.~~ To make, form, excavate, alter, expand, repair, or install a system, ~~and, their~~ derivations. (3-31-22)()

~~10. Director.~~ The Director of the Idaho Department of Environmental Quality or the Director's designee or authorized agent. (3-31-22)

10. Drainfield. A system of aggregate-filled trenches, gravelless chamber systems, drip systems, absorption beds, or other approved subsurface dispersal methods that distribute wastewater effluent into the soil. Also known as a "leachfield" or "soil absorption system." ()

11. Dwelling Unit. A single unit with complete independent living facilities for one or more persons, including permanent improvements for living, sleeping, eating, cooking, and sanitation. ()

~~142. Existing System.~~ Any system ~~which was~~ installed ~~prior to~~ before the effective date of these rules. (3-31-22)()

~~123. Expand.~~ To enlarge any nonfailing system. (3-31-22)

134. Extended Treatment Package System (ETPS). ~~An advanced subsurface package sewage~~ A wastewater treatment product that requires electricity and provides secondary ~~wastewater treatment and/~~ or tertiary wastewater treatment to septic tank effluent for systems receiving less than twenty-five hundred (2,500) gallons per day. (3-31-22)()

~~145. Failing System.~~ Any system ~~which that~~ exhibits one (1) or more of the following characteristics: (3-31-22)()

- a. ~~The system d~~Does not meet the intent ~~of these rules as~~ stated in Subsection 004.01. ~~(3-31-22)~~()
- b. ~~The system f~~Fails to accept blackwaste and wastewater; ~~or~~ ~~(3-31-22)~~()
- c. ~~The system d~~Discharges blackwaste or wastewater into the waters ~~of the State~~ or onto the ground surface. ~~(3-31-22)~~()

16. Gray Water. As defined in IDAPA 58.01.16, Wastewater Rules. ()

157. Ground-Water. ~~Any water of the state which occurs beneath the surface of the earth in a saturated geological formation of rock or soil~~ As defined in IDAPA 58.01.11, Ground Water Quality Rule. ~~(3-31-22)~~()

168. High Groundwater Level -- Normal, Seasonal. High ground-water level may be established by the ~~presence of low chroma mottles~~ soil characteristics, actual ground-water monitoring, or historic records. ~~(3-31-22)~~()

a. ~~The n~~Normal high groundwater level is the highest elevation of ground-water that is maintained or exceeded ~~for a continuous~~ ly period of ~~for~~ six (6) weeks a year. ~~(3-31-22)~~()

b. The seasonal high groundwater level is the highest elevation of ground-water that is maintained or exceeded ~~for a continuous~~ ly period of ~~for~~ one (1) week a year. ~~(3-31-22)~~()

17. High Water Mark. ~~The line which the water impresses on the soil by covering it for sufficient periods of time to prevent the growth of terrestrial vegetation.~~ ~~(3-31-22)~~()

189. Individual System. Any standard, alternative, or subsurface disposal system ~~which that~~ is not a central system. ~~(3-31-22)~~()

~~1920.~~ **Install.** To excavate or ~~to~~ put in place a system or ~~a~~ component of a system. ~~(3-31-22)~~()

201. Installer. Any person, corporation, or firm engaged in the business of excavation ~~for,~~ or ~~the~~ construction of individual or subsurface sewage disposal systems in the State. ~~(3-31-22)~~()

242. Large Soil Absorption System (LSAS). ~~A large soil absorption system is a~~ subsurface sewage disposal system designed to receive two thousand five hundred (2,500) gallons of wastewater or more per day, including where the total wastewater flow from the entire proposed project exceeds two thousand five hundred (2,500) gallons per day, ~~but the flow~~ is separated into absorption modules ~~which that~~ receive less than two thousand five hundred (2,500) gallons per day. ~~(3-31-22)~~()

223. Limiting Layer. ~~A characteristic~~ subsurface layer or material ~~which will that~~ severely limits the capability of the soil to treat or absorb wastewater including, but not limited to, water tables, fractured bedrock, ~~fissured bedrock,~~ excessively permeable material, and ~~relatively~~ impermeable material. ~~(3-31-22)~~()

234. Manufactured Medium Sand. Sand that meets the following gradation requirements:

Manufactured medium sand allowable particle size percent composition.	
Sieve Size	Passing (%)
4	95–100
8	80–100
16	50–85
30	25–60

Manufactured medium sand allowable particle size percent composition.	
Sieve Size	Passing (%)
50	10–30
100	2–10
200	<2

(3-31-22)

- 25. Minimum Tank Capacity.** The minimum required total liquid capacity of the septic tank facility. ()
- 24. Mottling.** Irregular areas of different color in the soil that vary in contrast, density, number and size. Mottling generally indicates poor aeration and impeded drainage. (3-31-22)
- 256. New System.** A system ~~which that~~ is or might be ~~authorized or~~ approved on or after the effective date of these rules. (3-31-22)()
- 267. Nondischarging System.** Any system ~~which is~~ designed and constructed to prevent ~~the~~ subsurface discharge of blackwaste or wastewater. (3-31-22)()
- 27. Permit.** An individual or subsurface system installation permit or installer’s registration permit. (3-31-22)
- 28. Pollutants.** ~~Any chemical, biological, or physical substance whether it be solid, liquid, gas, or a quality thereof, which if released into the environment can, by itself or in combination with other substances, create a public nuisance or render that environment harmful, detrimental, or injurious to public health, safety or welfare or to domestic, commercial, industrial, agricultural, recreational, aesthetic, or other beneficial uses~~ As defined in IDAPA 58.01.16, Wastewater Rules. (3-31-22)()
- 29. Proprietary Wastewater System Technology.** A manufactured product through which effluent flows and may be stored before infiltration. (3-31-22)
- 3029. Proprietary Wastewater Treatment System Product (PWTP).** ~~A subsurface sewage treatment system that incorporates proprietary wastewater system technology to provide additional treatment to a septic tank effluent system~~ A manufactured product that provides passive treatment to septic tank effluent for systems receiving less than twenty-five hundred (2,500) gallons per day. (3-31-22)()
- 31. Public System.** ~~Any system owned by a county, city, special service district, or other governmental entity or Indian tribe having the authority to dispose of blackwaste or wastewater; a municipal wastewater treatment facility.~~ (3-31-22)
- 320. Repair.** To remake, reform, replace, or enlarge a failing system, or any component ~~thereof~~ as is necessary to restore proper operation. (3-31-22)()
- 331. Scarp.** The side of a hill, canyon, ditch, river bank, roadcut, or other geological feature characterized by a slope of forty-five (45) degrees (100% slope) or more from the horizontal. (3-31-22)()
- 32. Septic Tank.** A watertight, covered receptacle designed and constructed to receive wastewater discharge, separate solids from liquid, digest organic matter, store digested solids through a period of detention, and allow clarified liquids to discharge for final disposal. ()
- 33. Septic Tank Facility.** A septic tank or series of septic tanks preceding a subsurface disposal system. Tanks or compartments used for housing pretreatment products or used as dosing chambers are not considered part of the septic tank facility. ()

- ~~34.~~ **Septage.** As defined in IDAPA 58.01.16, Wastewater Rules. ()
- ~~345.~~ **Service Provider.** Any person, corporation, or firm engaged in the business of providing operation, maintenance, and monitoring of complex alternative systems in the state of Idaho. (3-31-22)
- ~~356.~~ **Sewage.** ~~Sewage has the same meaning as wastewater~~ As defined in IDAPA 58.01.16, Wastewater Rules. (3-31-22)()
- ~~36.~~ **Soil Texture.** The relative proportion of sand, silt, and clay particles in a mass of soil. (3-31-22)
- ~~37.~~ **Standard System.** ~~Any system recognized by the Board through the adoption of design and construction regulations~~ An effluent sewer, one (1) or more aggregate filled trenches, and a gravity flow wastewater distribution system. (3-31-22)()
- ~~38.~~ **Subsurface Disposal System.** Any system with a point of discharge beneath the earth's surface. (3-31-22)()
- ~~39.~~ **Surface Water - Intermittent, Permanent, Temporary.** (3-31-22)
- a. Any waters ~~of the State which flow or are contained in natural or man-made depressions in the earth's surface. This includes, including~~ but is not limited to, lakes, streams, canals, and ditches. (3-31-22)()
- b. ~~An i~~ntermittent surface water exists continuously for ~~a period of~~ more than two (2) months but not more than six (6) months a year. (3-31-22)()
- c. ~~A p~~ermanent surface water exists continuously for ~~a period of~~ more than six (6) months a year. (3-31-22)()
- d. ~~A t~~emporary surface water exists continuously for ~~a period of~~ less than two (2) months a year. (3-31-22)()
- ~~40.~~ **System.** Beginning at the point of entry, physically connected piping, treatment devices, receptacles, structures, or areas of land designed, used or dedicated to convey, store, stabilize, neutralize, treat, or dispose of blackwaste or wastewater. (3-31-22)()
- ~~41.~~ **Trench.** A drainfield excavation six (6) feet or less in width. ()
- ~~412.~~ **Wastewater.** ~~Any combination of liquid or water and pollutants from activities and processes occurring in dwellings, commercial buildings, industrial plants, institutions and other establishments, together with any groundwater, surface water, and storm water that may be present; liquid or water that is chemically, biologically, physically or rationally identifiable as containing blackwater, grey water or commercial or industrial pollutants; and sewage~~ As defined in IDAPA 58.01.16, Wastewater Rules. (3-31-22)()
- ~~42.~~ **Waters of the State.** All the accumulations of water, surface and underground, natural and artificial, public and private or parts thereof which are wholly or partially within, which flow through or border upon the state of Idaho. (3-31-22)
- ~~43.~~ **Water Table.** The surface of an aquifer. (3-31-22)
- 004. GENERAL REQUIREMENTS.**
- 01. Intent of Rules.** The Idaho Board of Environmental Quality, ~~in order~~ to protect the health, safety, and environment of the people of the state of Idaho establishes these rules governing the design, construction, siting and abandonment of individual and subsurface sewage disposal systems. These rules are intended to ensure that blackwastes and wastewater generated in the state of Idaho are safely contained and treated and that blackwaste and wastewater contained in or discharged from each system: (3-31-22)()

- a. Are not accessible to insects, rodents, or other wild or domestic animals; (3-31-22)
 - b. Are not accessible to individuals; (3-31-22)
 - c. Do not ~~give rise to~~ create a public nuisance due to odor or unsightly appearance; ~~(3-31-22)~~()
 - d. Do not injure or interfere with existing or potential beneficial uses of the waters ~~of the State; and~~ (3-31-22)()
 - e. Do not have an adverse impact on public health or the environment. ()
02. **Compliance with Intent** ~~Required~~. The Director ~~shall will~~ not authorize or approve any system if, in the ~~opinion of the~~ Director's opinion, the system will not ~~be~~ (is/does) not ~~in compliance~~ comply with the intent of these rules. ~~(3-31-22)~~()
03. **System Limitations**. Cooling water, backwash or backflush water, hot tub or spa water, air conditioning water, water softener brine, groundwater, oil, ~~or~~ roof drainage, or other substances detrimental to the system's performance or to groundwater quality cannot be discharged into any system unless that discharge is approved by the Director. ~~(3-31-22)~~()
04. **Increased Flows**. Unless authorized by the Director, ~~no person shall~~ it is unlawful for any person to provide for or connect additional blackwaste or wastewater sources to any system if the resulting flow or volume would exceed the approved design flow of the system. ~~(3-31-22)~~()
05. **Failing System**. The owner of any failing system ~~shall must~~ obtain a permit and ~~cause repair~~ the failing system's repair: ~~(3-31-22)~~()
- a. As soon as practical after the owner becomes aware of its failure; or (3-31-22)
 - b. As directed ~~in~~ with proper notice from the Director. ~~(3-31-22)~~()
06. **Subsurface Disposal System Replacement Area**. An area of land ~~which is~~ suitable in all respects for the complete replacement of a new subsurface disposal system disposal field ~~shall must~~ be reserved as a replacement area. This area ~~will must~~ be kept vacant, free of vehicular traffic, and free of any soil modification ~~which that~~ would negatively affect its use as a replacement disposal field construction site. ~~(3-31-22)~~()
07. **Technical Guidance Committee (TGC)**. The Director ~~shall~~ appoints a TGC composed of three (3) representatives from the seven (7) Hhealth Ddistricts, one (1) representative from the Department of Eenvironmental Qquality, one (1) professional engineer licensed in the state of Idaho and one (1) licensed installer. ~~Initially two (2) committee members shall be appointed to each of one (1), two (2) and three (3) year terms.~~ Appointments to vacancies ~~thereafter shall be to~~ are three (3) year terms. ~~(3-31-22)~~()
08. **TGC Duties** ~~of the TGC~~. The TGC ~~shall~~ maintains the TGM ~~to be~~ used in the design, construction, alteration, operation, and maintenance of conventional systems, their components, and alternatives. The TGC ~~shall~~ reviews variances requests and commercially manufactured wastewater treatment components and systems at the request of the Director and provides recommendations. ~~(3-31-22)~~()
09. **TGM**. The TGM maintained by the TGC ~~shall~~ provides state-of-the-art technical guidance on alternative sewage disposal components and systems, soil type determination methodology, and other information pertinent to the best management practices of individual and subsurface sewage disposal. ~~(3-31-22)~~()
10. **Alternative System**. If a standard system ~~as described in these rules~~ cannot be installed on a parcel of land, an alternative system may be permitted if that system is installed in accordance with the TGC's recommendations ~~of the TGC~~ and is approved by the Director as ~~set forth~~ stated in Section 009. ~~(3-31-22)~~()

005. PERMIT AND PERMIT APPLICATION.

01. **Permit Required.** Except as specified in Subsection 005.02 ~~it shall be unlawful for any no~~ person ~~to cause or to perform the modification~~ may modify, repair, or expand or ~~construction of~~ install any individual or subsurface sewage disposal system within the state of Idaho unless there is a valid installation permit authorizing that activity. (3-31-22)()

02. ~~Exceptions to Permit Requirement~~ **Permit Exceptions.** The activities listed in this subsection may be lawfully performed in the absence of a valid installation permit. ~~They are, however,~~ but are subject to all other relevant rules and regulations. (3-31-22)()

a. Portable nondischarging systems may be installed ~~where needed~~ as temporary blackwater or wastewater systems ~~if they are~~ properly maintained and ~~if they are~~ of a design ~~which has been~~ approved by the Director. (3-31-22)()

b. Individual and subsurface disposal systems may be repaired when needed ~~as a result of~~ due to clogged or broken solid piping or ~~of~~ malfunctions in an electrical or mechanical system. ~~Such repair~~ Repairs may not expand the system unless authorized by the Director. (3-31-22)()

03. **Permit Application.** The owner of the system or ~~the owner's~~ their authorized representative ~~shall make~~ must submit the application to the Director ~~in writing and in a manner or form prescribed by the Director~~ in an approved form. (3-31-22)()

04. ~~Contents of Application~~ **Application Contents.** ~~A permit application will be used to help determine if the proposed construction will be in conformance with applicable rules and regulations.~~ Information required in the application may include, but is not limited to: (3-31-22)()

- a. ~~The n~~ Name and address of the owner of the system and of the applicant, if different; (3-31-22)()
- b. ~~The l~~ Legal description of the parcel of land; (3-31-22)()
- c. ~~The t~~ Type of establishment served; (3-31-22)()
- d. ~~The m~~ Maximum number of persons served, number of bedrooms, or other appropriate measure of wastewater flow; (3-31-22)()
- e. ~~The t~~ Type of system; (3-31-22)()
- f. ~~The e~~ Construction activity (new construction, enlargement, repair); (3-31-22)()
- g. ~~A s~~ Scaled or dimensioned plot plan including, if needed, adjacent properties illustrating: (3-31-22)()
 - i. ~~The l~~ Location and size of all existing and proposed wastewater systems including disposal field replacement areas; (3-31-22)()
 - ii. ~~The l~~ Location of all existing water supply system features; (3-31-22)()
 - iii. ~~The l~~ Location of all surface waters; (3-31-22)()
 - iv. ~~The l~~ Location of scarps, cuts, and rock outcrops; (3-31-22)()
 - v. Land elevations, ~~surface contours, and ground slopes~~ between features of interest; (3-31-22)()
 - vi. Property lines, easements, and rights-of-way; and (3-31-22)
 - vii. Location and size of buildings and structures. (3-31-22)

- h. ~~The p~~Plans and specifications of the proposed system ~~which include~~ including: (3-31-22)()
 - i. Diagrams of all system facilities ~~which are to be~~ made or fabricated at the site; (3-31-22)()
 - ii. ~~The m~~Manufacturer's name and identification of any component approved ~~pursuant to~~ under Sections 007 and 009; and (3-31-22)()
 - iii. List of materials. (3-31-22)
 - i. Site evaluation report that includes but is not limited to a Ssoil description and profile, and groundwater data, ~~percolation or permeability test results and/or a site evaluation report;~~ (3-31-22)()
 - j. ~~The n~~Nature and quantity of blackwaste and wastewater ~~which~~ the system ~~is to~~ will receive, including the basis for that estimate; (3-31-22)()
 - k. Proposed operation, maintenance, and monitoring procedures to ~~insure~~ ensure the system's performance and failure detection; (3-31-22)()
 - l. Copies of legal documents relating to access and to responsibilities for operation, maintenance, and monitoring; (3-31-22)
 - m. A sStatement from the local zoning or building authority indicating ~~that~~ the proposed system would not be contrary to local ordinances; (3-31-22)()
 - n. ~~The s~~Signature of the owner of the ~~proposed~~ system and, if different, of the applicant; and (3-31-22)()
 - o. Any other information, document, or condition ~~that may be~~ required by the Director to substantiate that the ~~proposed~~ system will comply with applicable rules and regulations. (3-31-22)()
05. ~~Basis for Permit Application Denial~~. The Director may deny a permit application if in the Director's judgment: (3-31-22)()
- a. The application is incomplete, inaccurate, or misleading; (3-31-22)
 - b. The system as proposed is not in compliance with applicable rules and regulations; (3-31-22)
 - e. ~~The system as proposed would, when put into use, be considered a failing system;~~ (3-31-22)
 - d. ~~The design and description of a public system was not made by a professional engineer;~~ (3-31-22)
 - ec. The Public or central wastewater treatment facilities are reasonably accessible. (3-31-22)()
06. **Notice of Denial.** Upon denial of an application the Director ~~shall~~ will notify the applicant of the reason for denial. (3-31-22)()
07. ~~Permit Issuance of Permit~~. When, in the Director's opinion ~~of the Director~~ the system as proposed will ~~be in conformance~~ conform with applicable rules ~~and regulations~~, the Director ~~shall~~ will issue an "Individual and Subsurface System Installation Permit"; (3-31-22)()
08. Valid Application and Permit ~~Valid for One Year~~. Unless otherwise stated on the application or permit, it ~~shall~~ will become invalid if the authorized construction or activity is not completed and approved within one two (+2) years s of the date of issuance. (3-31-22)()
09. **Permit Renewal.** At the Director's discretion ~~of the Director~~, a permit may be renewed ~~one (1) or more times~~ upon request by the applicant or owner ~~provided that~~ if the request is received by the Director ~~prior to~~

~~before~~ the permit's date of expiration. (3-31-22)()

~~10. Immediate Effect of the Permit~~ **Effect.** A valid permit authorizes the construction of an individual or subsurface disposal system and requires ~~that~~ the construction be conducted in compliance with plans, specifications, and conditions contained in the approved permit application. Any deviation from the plans, specifications, and or conditions is prohibited unless it is approved in advance by the Director. (3-31-22)()

~~11. Cottage Site Facility Certification.~~ A valid permit shall constitute certification and approval for the purposes of Section 39-3637, Idaho Code. (3-31-22)

~~12. Existing Installation Permits.~~ Individual and subsurface sewage disposal installation permits or other lot specific approvals for systems issued prior to February 7, 1978, pursuant to Idaho Code Title 39, Chapter 1 and Title 39, Chapter 36, will become invalid one (1) year after written notice is given by the Director notifying the owner or holder of such a permit or approval that the permit or approval will no longer be valid unless construction or installation of the system provided for in the permit or approval is commenced within one (1) year after giving of the notice. This provision does not apply to certificates filed to satisfy a sanitary restriction pursuant to Section 50-1326, Idaho Code. (3-31-22)

~~13. Abandonment May Be Required.~~ The Director may require as a condition for issuing a permit that the system be abandoned by a specified date or ~~under~~ specific predetermined circumstances. The date or circumstances will be established before ~~the issuance of~~ issuing the permit and be contained in the permit application. These conditions may relate to a specific date, dwelling density, ~~completion of a~~ municipal system completion or other circumstances ~~relative to the~~ regarding availability of central sewerage system services. (3-31-22)()

~~14. Operation, Maintenance, and Monitoring.~~ (3-31-22)()

a. The Director may require, as a condition of issuing a permit, ~~that~~ specific operation, maintenance, and monitoring procedures be observed. Those procedures will be contained in the installation permit. (3-31-22)()

b. All operation, maintenance, and monitoring requirements of installation permits including effluent sampling ~~shall~~ must be perpetual unless: (3-31-22)()

i. The system is not installed; (3-31-22)

ii. The system is removed, abandoned, or replaced; or (3-31-22)

iii. The permit is amended or revoked by the Director. (3-31-22)

c. If a system ~~gains approval~~ is approved as described by the TGM, sampling requirements may be removed. (3-31-22)()

~~15. As Built Plans and Specifications.~~ The Director may require as a condition of issuing a permit, that complete and accurate record drawings and specifications depicting the actual construction be submitted to the Director within thirty (30) days after the completion of the construction. Alternately, if the construction proceeded in compliance with the approved plans and specifications, a statement to that effect may be submitted. (3-31-22)

~~16. Permit Fee.~~ All applications ~~shall~~ must be accompanied by payment ~~of the fee~~ specified in IDAPA 58.01.14, ~~Section 110~~, "Rules Governing Fees for Environmental Operating Permits, Licenses, and Inspection Services". (3-31-22)()

~~006. INSTALLER'S REGISTRATION PERMIT AND SERVICE PROVIDER CERTIFICATION~~ **REGISTRATION PERMITS FOR INSTALLERS AND SERVICE PROVIDERS.**

~~01. Permit and Certification Required.~~ Every installer and service provider ~~shall~~ must secure from the Director ~~an installer's~~ registration permit. ~~Service providers must also obtain a service provider's certification.~~ Two (2) types of installer permits and one (1) type of service provider ~~certification~~ permit are available.

(3-31-22)()

a. A ~~standard and~~ basic ~~alternative~~ system installer's ~~registration~~ permit is required to install all individual systems not listed under Subsection 006.01.b. (3-31-22)()

b. A complex ~~alternative~~ system installer's ~~registration~~ permit is required to install evapotranspiration systems, ETSPs, lagoon systems, ~~large soil absorption systems LSASs~~, pressure distribution systems, ~~proprietary wastewater treatment PWTp~~ systems, intermittent sand filters, sand mounds, or other ~~alternative~~ systems ~~as may be specified by the Director in the TGM~~. (3-31-22)()

c. A service provider ~~certification permit~~ is required to perform operation, maintenance, or monitoring of ETSPs and any other Director-identified complex ~~alternative~~ systems. (3-31-22)()

02. **Examination.** The initial issuance of the installer's ~~permit and or~~ service provider's ~~certification~~ shall ~~permit will~~ be based on ~~the completion of~~ ~~completing~~ an examination, with a passing score of seventy percent (70%) or more, ~~of the applicant's knowledge of the principles set forth in these rules and the applicable sections of the Technical Guidance Manual. The examinations will be prepared, administered and graded by the Director. The installer examination and service provider examinations shall be~~ ~~are~~ separate exams. (3-31-22)()

03. **Permits and Certifications Required Annually.** ~~Registration permits and service provider certifications~~ ~~Installer and service provider permits~~ expire annually on the first (1st) day of January, and all permits ~~and certifications~~ issued thereafter will be ~~issued~~ for the balance of the calendar year. Additionally, installers ~~and service providers shall will~~ attend at least one (1) refresher course approved by the ~~state of Idaho, Department of Environmental Quality~~, every three (3) years. ~~Individuals holding both a complex installer registration permit and service provider certification shall attend one refresher course for the complex installer registration permit and another course for the service provider certification. Installer and service provider refresher courses are not interchangeable.~~ (3-31-22)()

04. ~~Contents of Application~~ **Contents.** (3-31-22)()

a. Applications for installer ~~permits~~ and service provider ~~certifications shall~~ ~~permits must~~: (3-31-22)()

i. Be in writing: (3-31-22)()

ii. Be signed by the applicant or ~~by~~ an officer or authorized agent of a corporation: (3-31-22)()

iii. Contain the name and address of the applicant; and (3-31-22)

iv. Indicate whether the permit is ~~to be~~ for: (3-31-22)()

(1) Installation of standard and basic alternative systems; (3-31-22)

(2) Installation of standard, basic and complex alternative systems; or (3-31-22)

(3) ~~Installation of standard, basic and complex alternative systems and certification as a~~ ~~service provider; and~~ (3-31-22)()

v. Contain the expiration date of the bond required by Subsection 006.05. (3-31-22)

b. Additionally, for applicants seeking ~~certification as~~ a service provider ~~permit~~, the application ~~shall~~ ~~also must~~ contain documentation of manufacturer specific training, ~~as required by~~ ~~described in~~ Subsection 006.06.a. (3-31-22)()

05. **Bond Required.** At the time of application, all applicants, ~~including those~~ seeking a ~~basic or complex installer's permit, or a~~ service provider ~~certification, shall permit must~~ deliver to the Director a bond ~~in a form approved by the Director in the sum of five thousand dollars (\$5,000) for a standard and basic alternative system~~

~~installer's registration permit, or in the sum of fifteen thousand dollars (\$15,000) for standard, basic and complex alternative system installer's registration permit. The bond will~~ must: ()

- a. Be in a form approved by the Director: ()
- b. Be in the sum of ten thousand dollars (\$10,000) for a basic installer's or service provider's permit, or thirty thousand dollars (\$30,000) for a complex installer's permit: ()
- c. ~~Be~~ executed by a surety company duly authorized to do business in the state of Idaho and ~~must~~ run concurrent with the ~~installer's registration permit;~~ and ()
- d. ~~The bond shall be approved by the Director and must~~ Guarantee the installer or service provider's faithful performance of all work undertaken under the provisions of the ~~installer's registration permit or service provider certification~~ installer's or service provider's permit, or both. ()

06. Damages. Any person who suffers damage ~~as the result of~~ from negligent or wrongful acts of the installer or service provider or by the installer's or service provider's failure to competently perform any of the work agreed to be done under the terms of the registration permit ~~or certification shall~~ will, in addition to other legal remedies, have a right of action on the bond for all damages not exceeding ~~five ten~~ thousand dollars (\$510,000) for standard and basic alternative systems or operation, maintenance, and monitoring by certified service providers or ~~fifteen thirty~~ thousand dollars (\$1530,000) for complex alternative systems ~~or required operation, maintenance, or monitoring by certified service providers.~~ The maximum liability of the ~~surety and/or~~ sureties on the bond, regardless of the number of claims filed against the bond, ~~shall must~~ not exceed the sum of ~~five ten~~ thousand dollars (\$510,000) for standard and basic alternative systems or operations, maintenance, and monitoring by certified service providers or ~~fifteen thirty~~ thousand dollars (\$1530,000) for complex alternative systems ~~or required operation, maintenance, or monitoring by certified service providers.~~ (3-31-22)()

067. Service Provider Responsibilities. All ~~certified permitted~~ service providers ~~who provide operation, maintenance, or monitoring for~~ operate, maintain, or monitor any ~~complex alternative~~ system are responsible for compliance with ~~each of these~~ all rules ~~that are~~ relevant to those services. Additionally, each ~~certified~~ service provider ~~shall~~ must: (3-31-22)()

- a. Obtain documentation of the completed manufacturer-specific training of each manufactured and packaged treatment system ~~for which~~ the service provider intends to ~~provide operation, maintenance, or monitoring~~ operate, maintain, or monitor. Proper documentation includes a certificate or letter of training completion provided by the manufacturer and an expiration date of the manufacturer's certification. If a system manufacturer is no longer in business, that manufacturer-specific training is not required; (3-31-22)()
- b. Maintain a comprehensive list of real property owners who contracted with the certified service provider, including the current real property owner name, service property address, real property owner contact address, and ~~subsurface sewage disposal~~ installation permit number. This list ~~shall~~ must be provided to the Director as part of the annual operation, maintenance, and monitoring reports for individual real property owners; (3-31-22)()
- c. Notify the system owner in writing of any improper system function that cannot be remedied during ~~the time of~~ operation, maintenance, and monitoring services; and (3-31-22)()
- d. Submit all operation, maintenance, and monitoring records in ~~the form of~~ an annual report for each individual real property owner for whom the service provider agrees to fulfill the real property owner's operation, maintenance, or monitoring responsibilities required in Subsection 009.03. The annual reports ~~are to~~ must be provided to the Director by the timeframe specified in the TGM for the specific ~~complex~~ alternative system for which operation, maintenance, or monitoring is required. (3-31-22)()

078. Exemption. An installer's permit ~~shall not be~~ is not required for: (3-31-22)()

- a. Any person, corporation, or firm constructing a central or municipal subsurface sewage disposal system if that person, corporation, or firm is a licensed public works contractor ~~as provided in Title 54, Chapter 19;~~

~~Idaho Code~~, is experienced in the type of system to be installed and is under the direction of a professional engineer licensed in the state of Idaho; or (3-31-22)()

- b. Owners installing their own standard or basic alternative systems as described in the TGM. (3-31-22)()

~~089.~~ **Application Fee.** All applications ~~shall~~ must be accompanied by payment of the fee specified in IDAPA 58.01.14, ~~Section 120~~, "Rules Governing Fees for Environmental Operating Permits, Licenses, and Inspection Services.": (3-31-22)()

~~09.~~ **Grounds for Revocation.** ~~Failure to comply with these rules shall be grounds for revocation of the permit or the certification, or both.~~ (3-31-22)

- ~~10.~~ **Transfer from Non-Profit Operation and Maintenance Entity to Certified Service Provider.** (3-31-22)

~~a.~~ Real property owners who want to install ETSPs must retain a permitted installer and certified service provider. An easement granting general access to a non-profit operation and maintenance entity is no longer required for ETSP installation permits. (3-31-22)

~~b.~~ Beginning July 1, 2017, real property owners who had ETSPs installed are not required to be members of non-profit operation and maintenance entities. To meet the operation, maintenance, and monitoring requirements of their ETSPs, real property owners shall retain a certified service provider for their existing ETSPs. (3-31-22)

007. SEPTIC TANKS DESIGN AND CONSTRUCTION STANDARDS.

01. Materials. New septic tanks will be constructed of concrete, or other materials approved by the Director. Steel tanks are unacceptable. (3-31-22)

02. Design. A professional engineer licensed by the state of Idaho must submit all septic tank designs to the Department for approval. If any design submitted for approval does not meet all requirements in Section 007, the engineer must demonstrate that any deviation is determined by sound engineering practice and meets the intent of the rules. ()

~~023.~~ **Construction Requirements.** All septic tanks will be water tight, constructed of sound, durable materials, and not subject to excessive corrosion, decay, frost damage or cracking. (3-31-22)()

~~034.~~ **Concrete Septic Tanks.** New concrete septic tanks will at a minimum meet the following requirements: (3-31-22)

a. The walls and floor must be at least two and one-half (2 1/2) inches thick if adequately reinforced and at least six (6) inches thick if not reinforced. (3-31-22)

- b. The Cconcrete lids or covers must be at least three (3) inches thick and adequately reinforced. (3-31-22)()

c. The floor and at least a six (6) inch vertical portion of the walls of a poured tank must be poured at the same time (monolithic pour). (3-31-22)

- d. The Wwall sections poured separately must have interlocking joints on joining edge. (3-31-22)()

- e. All concrete outlet baffles must be finished with an asphalt or other protective coating. (3-31-22)

~~045.~~ **Horizontal Dimension Limit.** No interior horizontal dimension of a septic tank or compartment may be less than two (2) feet. (3-31-22)

056. Liquid Depth. The liquid depth ~~shall~~ must be at least two and one-half (2 1/2) feet ~~but not greater than five (5) feet.~~ (3-31-22)()

067. Manufactured Tank Markings. Septic tanks manufactured in accordance with a specified design approved by the Director, will be legibly and indelibly marked with the manufacturer’s name or trademark, total liquid capacity, and ~~shall~~ must indicate the tank’s inlet and outlet. (3-31-22)()

078. Minimum Tank Capacities. (3-31-22)

a. Tanks serving ~~one (1) or two (2)~~ single dwelling units: The minimum tank capacity is one thousand (1,000) gallons. For each bedroom over four (4) in a dwelling unit, add fifty (50) gallons.

MINIMUM CAPACITY PER DWELLING UNIT	
Number of Bedrooms	Minimum Liquid Capacity (Gallons)
1 or 2	900
3 or 4	1,000

~~For each bedroom over four (4) add two hundred fifty (250) gallons.~~ (3-31-22)()

b. Tanks serving all other flows. ~~Septic tank capacity shall be equal to two (2) times the average daily flow as determined from Subsection 007-08.~~ The minimum tank capacity shall be seven hundred and fifty (750) per structure is one thousand (1,000) gallons or a volume equal to at least two (2) times the maximum daily flow, whichever is greater. (3-31-22)()

089. Wastewater Flows from Various Establishments in Gallons per Day.

ESTABLISHMENTS	
DWELLING UNIT	
Single Family Dwelling, and Apartment, Mobile Homes, 3 bedroom. Add/subtract 50 gallons <u>per day</u> /bedroom	250/Unit
MULTIPLE RESIDENTIAL	
Hotel/ Motel: With Private Baths Without Private Baths	60/Bedspace 40/Bedspace
Overnight Accommodation: <u>Central Toilet</u> <u>Central Toilet & Shower</u>	<u>25/Person</u> <u>35/Person</u>
Motel: <u>With Kitchenette</u>	40/Bedspace 60/Bedspace
Boarding House: Add for each nonresident	150/Bedspace 25
Rooming House/Bunk House Staff Resident Nonresident	40/Resident 40/Staff 15/Staff
Apartments	<u>250/Unit</u>

ESTABLISHMENTS	
INSTITUTIONAL	
Assembly Hall/Meeting House	2/Seat
Church/Assembly Hall/Meeting House: With Kitchen	3/Seat 7/Seat
Hospital: Kitchen only Laundry only	250/Bedspace 25/Bedspace 40/Bedspace
Nursing Home/Rest Home	125/Bedspace
Day School: Without Showers With Showers With Cafeteria, add Staff-Resident Nonresident	20/Student 25/Student 3/Student 40/Staff 20/Staff
FOOD SERVICE	
Conventional Service: Toilet & Kitchen Wastes Kitchen Wastes	13/Meal 3.3/Meal
Take Out or Single Service	2/Meal
Dining Hall: Toilet & Kitchen Wastes Kitchen Wastes	8/Meal 3-3/Meal
Drinking Establishment	2/Person
Food Service Employee	15/Employee
COMMERCIAL AND INDUSTRIAL	
Bowling Alley	125/Lane
Laundry - Self Service	50/Wash
Public Transportation Terminal	5/Fare
Service Station	10/Vehicle
Car Wash: 1st Bay Additional Bays	50/Vehicle 1000 500 each
Shopping Center (No food/laundry)	1/Pkg.Sp.
Theaters (including Concession Stand): Auditorium Drive-in	5/Seat 40/Space
Offices	20/Employee

ESTABLISHMENTS	
Factories: No Showers With Showers Add for Cafeteria	25/Employee 35/Employee 5/Employee
Stores	2/Employee
SEASONAL AND RECREATIONAL	
Fairground (Peak Daily Attend)	1/Person
Stadium	2/Seat
Swimming Pool: Toilet & Shower Wastes	10/Person
Parks & Camps (Day Use): Toilet & Shower Wastes	15/Person
Roadside Rest Area: Toilet & Shower Wastes Toilet Waste	10/Person 5/Person
Overnight Accommodation: Central Toilet Central Toilet & Shower	25/Person 35/Person
Designated Camp Area: Toilet & Shower Wastes Toilet Wastes	90/Space 65/Space
Seasonal Camp	50/Space
Luxury Cabin	75/Person
Travel Trailer Park with Sewer & Water Hook-up	125/Space
Seasonal/Construction Camp	50/Person
Resort Camps	50/Person
Luxury Camps	100/Person
Country Clubs Resident Member Add for Nonresident Member	100/Member 25/Person
Public Restrooms: Toilet Wastes Toilet & Shower Wastes	5/Person 15/Person

(3-31-22)()

~~09~~**10.** **Total Volume.** The total volume of a septic tank ~~will~~ at a minimum must be one hundred fifteen percent (115%) of its liquid capacity. (3-31-22)()

~~10~~**1.** **Inlets.** (3-31-22)

a. The inlet into the tank ~~will~~ be at least four (4) inches in diameter and enter the tank three (3) inches above the liquid level. (3-31-22)()

b. The inlet of the septic tank and each compartment ~~will~~ **must** be submerged by means of a vented tee or baffle. (3-31-22)()

c. Vented tees or baffles ~~will~~ **must** extend above the liquid level seven (7) inches or more but not closer than one (1) inch to the ~~top~~ **lid** of the tank. (3-31-22)()

d. Tees ~~should~~ **must** not extend horizontally into the tank beyond two (2) times the diameter of the inlet. (3-31-22)()

142. Outlets. (3-31-22)

a. The outlet of the tank ~~will~~ **must** be at least four (4) inches in diameter. (3-31-22)()

b. The outlet of the septic tank and each compartment ~~will~~ **must** be submerged by ~~means of~~ a vented tee or baffle. (3-31-22)()

c. Vented tees and baffles ~~will~~ **must** extend above the liquid level seven (7) inches or more ~~above the liquid level~~ but not closer than one (1) inch to the inside ~~top~~ **lid** of the tank. (3-31-22)()

d. Tees and baffles ~~will~~ **must** extend below the liquid level to a depth where forty percent (40%) of the tank's liquid volume is above the bottom of the tee or baffle. ~~For vertical walled rectangular tanks, this point is at forty percent (40%) of the liquid depth. In horizontal cylindrical tanks this point is about thirty-five percent (35%) of the liquid depth.~~ (3-31-22)()

e. Tees and baffles ~~should~~ **must** not extend horizontally into the tank beyond two (2) times the diameter of the outlet. (3-31-22)()

123. Scum Storage. A septic tank will provide an air space above the liquid level which will be equal to or greater than fifteen percent (15%) of the tank's liquid capacity. ~~For horizontal cylindrical tanks, this condition is met when the bottom of the outlet port is located at nineteen percent (19%) of the tank's diameter when measured from the inside top of the tank.~~ (3-31-22)()

134. Manholes. ~~Manholes must extend to the finished grade.~~ Access to each septic tank or compartment ~~shall~~ **must** be provided by a manhole twenty (20) inches in minimum dimension or a removable cover of equivalent size. Each manhole cover ~~will~~ **must** be provided with a corrosion resistant strap or handle to facilitate removal. (3-31-22)()

145. Inspection Ports. An inspection port measuring at least eight (8) inches in ~~its~~ minimum dimension will be placed above each inlet and outlet. Manholes may be substituted for inspection ports. (3-31-22)()

156. Split Flows. The wastewater from a single building sewer or sewer line ~~may~~ **must** not be divided and discharged into more than one (1) septic tank or compartment. (3-31-22)()

167. Multiple Tank or Compartment Capacity. Multiple ~~septic tanks~~ or compartmented septic tanks connected in series may be used ~~so long as~~ **if** the sum of their liquid capacities is at least equal to the minimum tank capacity ~~computed~~ in Subsection 007.07, and the initial tank or compartment has a liquid capacity of ~~more than~~ **at least** one-half (1/2) ~~but no more than two thirds (2/3)~~ of the total liquid capacity of the septic tank facility. (3-31-22)()

178. Minimum Separation Distances Between Septic Tanks and Features of Concern.

Features of Concern	Minimum Distance to Septic Tank in Feet	
Well or Spring or Suction Line	Public Water	100
	Other	50

Features of Concern	Minimum Distance to Septic Tank in Feet	
Water Distribution Line	Public Water	25
	Other	10
Permanent or Intermittent Surface Water		50
Temporary Surface Water		25
Downslope Cut or Scarp		25 10
Dwelling Foundation or Building		5
Property Line		5
Seasonal High Water Level (Vertically from Top of Tank)		2

(3-31-22)(____)

189. Installation of Manufactured Tanks Installation. If written installation instructions are provided by the manufacturer of a septic tank, the installer must follow those instructions relative to the stability and integrity of the tank ~~are to be followed~~ unless otherwise specified in the installation permit ~~of these rules~~. (3-31-22)(____)

19. Manhole Extension. If the top of the septic tank is to be located more than twenty four (24) inches below the finished grade, manholes will be extended to within eighteen (18) inches of the finished grade. (3-31-22)

20. Sectional Tanks. Sectional tanks will be joined in a manner that will insure that the tank is watertight. (3-31-22)

210. Inlet and Outlet Piping. Unless otherwise specified in the installation permit, piping material to and from a septic tank or dosing chamber, to points three (3) feet beyond the tank excavation shall and to be drainfield must be of a material approved by the Director. ~~The following materials are required:~~ and specified as follows. (3-31-22)(____)

a. ABS schedule forty (40) piping or material of equal or greater strength ~~piping shall be used to span the excavations for the septic tank and dosing chamber.~~ (3-31-22)(____)

b. ASTM D-3034 or equivalent plastic pipe may be used to span the septic tank and dosing chamber if the excavation is compacted with fill material. (3-31-22)(____)

i. ~~The fill material must be granular, clean and compacted to ninety percent (90%) standard proctor density.~~ (3-31-22)

ii. ~~Placement of ASTM D-3034 on undisturbed earth is suitable, but in no installation shall there be less than twelve (12) inches of cover over the pipe.~~ (3-31-22)

221. Effluent Pipe Separation Distances. Effluent pipes ~~shall not be installed closer than fifty (50) feet from a well~~ have the same separation distance requirements as septic tanks unless otherwise approved by the Director. (3-31-22)(____)

232. Septic Tank Abandonment. ~~Responsibility of properly abandoning a septic tank shall remain with the property owner~~ is responsible for septic tank abandonment and must use the following procedures. Septic tanks shall be abandoned in accordance with the following: (3-31-22)(____)

a. ~~Disconnection of~~ Disconnect the inlet and outlet piping; (3-31-22)(____)

b. ~~Pumping of~~ Pump the scum and septage with approved disposal; and (3-31-22)(____)

c. ~~Filling~~ the septic tank with earthen materials; ~~or,~~ physically destroy the septic tank, or remove the

~~septic tank from the ground.~~ (3-31-22)()

~~d. Physically destroying the septic tank or removing the septic tank from the ground.~~ (3-31-22)

008. STANDARD SUBSURFACE DISPOSAL FACILITY DESIGN AND CONSTRUCTION.

~~01. Standard Drainfield. A drainfield consisting of an effluent sewer, one (1) or more aggregate filled trenches and a gravity flow wastewater distribution system. These standards will be the basis of acceptable design and configuration. Overall dimensions of a specific facility will depend upon site characteristics and the volume of wastewater.~~ (3-31-22)

~~021. Site Suitability. The area in which where a standard drainfield is to will be constructed must meet the following conditions stated in this subsection:~~ (3-31-22)()

~~a. Slope. The natural slope of the site will not exceed twenty percent (20%).~~ (3-31-22)()

~~b. Soil types. Suitable soil types must will be present at depths corresponding with the sidewalls of the proposed drainfield and at depths which will be between the bottom of the proposed drainfield and any limiting soil layer (effective soil depth).~~

Design Soil Group	Soil Textural Classification	USDA Field Test Textural Classification	
Unsuitable	Gravel	10 Mesh	
	Coarse Sand	10-35 Mesh	Sand
A	Medium Sand	35-60 Mesh	Sand
	Fine Sand	65-140 Mesh	Sand
	Loamy Sand		Sand
B	Very Fine Sand	140-270 Mesh	Sand
	Sandy Loam		Sandy Loam
	Very Fine Loamy Sand		Sandy Loam
	Loam		
C	Silt Loam		Silt Loam
	Silt		Silt Loam
	Clay Loam		Clay Loam
	Sandy Clay Loam		Clay Loam
	Silty Clay Loam		Clay Loam
Unsuitable	Sandy Clay		Clay
	Silty Clay		Clay
	Clay		Clay
	Clay soils with high shrink/swell potential		Clay
	Organic mucks		
	Claypan, Duripan,		
	Hardpan		

(3-31-22)()

c. ~~Effective Soil Depths.~~ Effective soil depths, in feet, below the bottom of the drainfield must be equal to or greater than those values listed in the following table.

EFFECTIVE SOIL DEPTHS TABLE			
Site Conditions	Design	Soil	Group
Limiting Layer	A	B	C
Impermeable Layer	4	4	4
Fractured Bedrock, Fissured Bedrock or Extremely Permeable Material	6	4	3
Normal High Groundwater Level	6	4	3
Seasonal High Groundwater Level	1	1	1

(3-31-22)()

d. ~~Separation Distances.~~ The drainfield must be located so ~~that~~ the separation distances ~~given be are~~ maintained or exceeded according to the following ~~T~~table:

Feature of Interest	Soil Types All	A	B	C
Public Water Supply	100			
All wells and Other Domestic Water Supplies including Springs and Suction Lines	100			
Water Distribution Lines: Pressure(not double-encased) Suction(double-encased)	25 100			
Permanent or Intermittent Surface Water other than Irrigation Canals & Ditches		300 200	200 125	100
Temporary Surface Water and Irrigation Canals and Ditches	50			
Downslope Cut or Scarp: Impermeable Layer Above Base Impermeable Layer Below Base		75 50	50 25	50 25
Building Foundations: Crawl Space or Slab Basement	10 20			
Property Line	5			

(3-31-22)()

032. Subsurface Disposal Facility Sizing. The size of a subsurface disposal system ~~will be is~~ determined by the following procedures: (3-31-22)()

a. Daily flow estimates ~~should be are~~ determined in the same manner as ~~are~~ flow estimates for septic tank sizing in Subsection 007.08. (3-31-22)()

b. ~~The~~ Total required absorption area is obtained by dividing the estimated maximum daily flow by a value below or as specified in the TGM.

Design Soil Group	A	B	C
Absorption Area - Gallons/Square Foot/Day	1.0	0.5	0.2

(3-31-22)()

c. Required Area. ~~The size of a~~ An acceptable site must be large enough to construct two (2) complete drainfields in which each are sized to receive one hundred percent (100%) of the design wastewater flow.

(3-31-22)()

043. Standard Subsurface Disposal Facility Specifications. ~~The following table presents a~~ Additional design specifications for new subsurface sewage disposal facilities.

<u>STANDARD SUBSURFACE DISPOSAL FACILITY TABLE SPECIFICATIONS</u>	
Item	All Soil Groups
Length of Individual Distribution Laterals	100 Feet Maximum
Grade of Distribution Laterals and Trench Bottoms	Level
Width of Trenches	1 Foot Minimum 6 Feet Maximum
Depth of Trenches	2 Feet Minimum 4 Feet Maximum
Total Square Feet of Trench	1,500 Sq.ft. Max.
Undisturbed Earth Between Trenches	6 Feet Minimum
Undisturbed Earth Between Septic Tank and Trenches	6 Feet Minimum
Depth of Aggregate:	
Total	12 In. Minimum
Over Distribution Laterals	2 In. Minimum
Under Distribution Laterals	6 In. Minimum
Depth of Soil Over Top of Aggregate	12 In. Minimum

(3-31-22)()

054. Wastewater Distribution. Systems ~~shall~~ must be installed to maintain equal or serial effluent distribution.

(3-31-22)()

065. Excavation. Trenches ~~will~~ must not be excavated during the period of high soil moisture content when that moisture promotes smearing and soil compaction ~~of the soil~~.

(3-31-22)()

076. Soil Barrier. The aggregate ~~will~~ must be covered throughout with ~~untreated building paper~~, a synthetic filter fabric (geotextile), ~~a three (3) inch layer of straw~~ or other acceptable permeable material.

(3-31-22)()

087. Aggregate. The trench aggregate ~~shall~~ must be crushed rock, gravel, or other acceptable, durable and inert material ~~which that is~~, free of fines, and has an effective diameter from one-half (1/2) to two and one-half (2 1/2) inches.

(3-31-22)()

098. Impermeable Surface Barrier. ~~No~~ A treatment area trench or replacement area ~~shall~~ may not be: ()
a. Compacted. ()
b. Covered by an impermeable surface barrier, ~~such as tar paper, asphalt or tarmac;~~ or ()
c. Used for parking or driving on, ~~or in any way compacted~~ and ~~shall~~ must be adequately protected from such activities. (3-31-22)()

1009. ~~Standard~~ Absorption Bed. Absorption bed disposal facilities may be considered when a site is suitable for a standard subsurface disposal facility except that it is not large enough. (3-31-22)()

a. ~~General Requirements.~~ Except as specified in this section, rules ~~and regulations~~ applicable to a standard subsurface disposal system ~~are applicable~~ apply to an absorption bed facility. (3-31-22)()

b. ~~Slope Limitation.~~ Sites with slopes in excess of eight percent (8%) are not suitable for absorption bed facilities. (3-31-22)()

c. ~~Vehicular Traffic.~~ ~~Rubber tired vehicles must not be driven on the bottom surface of any bed excavation.~~ (3-31-22)

d. ~~Distribution Lateral Spacing.~~ Distribution laterals within a bed ~~must be spaced on~~ may not be spaced on greater than six (6) feet centers, ~~nor may~~ and any sidewall may not be more than three (3) feet from a distribution lateral. (3-31-22)()

10. Vehicle and Machinery Traffic. Rubber-tired vehicles and machinery may not be driven on the bottom surface of any excavation or on the top of any drainfield. ()

11. ~~Seepage Pit.~~ ~~Seepage pit disposal facilities may be used on a case by case basis within the boundaries of District Health Department Seven when an applicant can demonstrate to the district director's satisfaction that the soils and depth to ground water are sufficient to prevent ground water contamination. The district director shall document all such cases.~~ (3-31-22)

a. ~~General Requirements.~~ ~~Except as specified in Subsection 008.11.b., rules and regulations applicable to a standard subsurface disposal system are applicable to a seepage pit.~~ (3-31-22)

b. ~~Other conditions for approval, sizing and construction will be as provided for in the seepage pit section of the Technical Guidance Manual for Individual and Subsurface Sewage Disposal, except that the site size restriction in condition two (2) of the Conditions for Approval will not apply.~~ (3-31-22)

121. Failing Subsurface Sewage Disposal System. If the Director determines ~~that the public's health is at risk from a failed septic system~~ a system is failing and ~~that the~~ replacement of ~~a failing subsurface sewage disposal system~~ the system cannot meet the current rules ~~and regulations~~, then the replacement system must meet the intent of the rules ~~and regulations~~ by ~~utilizing~~ using a ~~standard subsurface sewage disposal design or alternative~~ system design ~~as~~ specified by the Director. (3-31-22)()

009. OTHER COMPONENTS.

01. Design Approval Required. Commercially manufactured wastewater treatment components and systems must not be used in ~~the construction of~~ constructing a subsurface sewage system unless ~~their~~ the design is approved by the Director ~~through the recommendation of the TGC as directed in Section 004.~~ The Department ~~has~~ developed recommended standards and guidance for these systems in the TGM. Approval may be limited to those locations or conditions ~~for which~~ where achievement of standards has been demonstrated. Commercially manufactured wastewater treatment components and systems may include but are not limited to: (3-31-22)()

a. ETPSs (e.g., aerobic treatment systems); (3-31-22)

~~b.~~ Proprietary wastewater treatment systems (e.g., proprietary wastewater system technology with specified sand); (3-31-22)

~~eb.~~ Proprietary wastewater system technology (e.g., gravelless distribution products)PWTPs; and (3-31-22)()

~~dc.~~ Proprietary non-discharging systems (e.g., individual wastewater incinerators, composting toilets, or vault toilets). (3-31-22)

02. Plan and Specification Submittal. Plans and specifications for all commercially manufactured wastewater treatment components and systems ~~will~~ must be submitted to the Director for approval. Plans and specifications ~~will~~ must include detailed construction drawings; capacities; structural calculations; lists of materials; ~~evidence of stability and durability~~; performance standards; manufacturers' installation, operation, and maintenance instructions; ~~an~~ installation inspection checklist; ~~a list of all prior approvals from other states including any review or compliance related issues~~; and ~~any~~ other relevant information ~~as~~ requested by the Director. (3-31-22)()

a. Manufacturers seeking approval for ETSPs or PWTPs that reduce total suspended solids (TSS) and carbonaceous biological oxygen demand 5-day (CBOD5) when used with residential strength wastewater must submit NSF/ANSI 40 approvals, reports, and associated data or equivalent third-party standards. ()

b. Manufacturers seeking approval for ETSPs or PWTPs that reduce total nitrogen (TN) must submit NSF/ANSI 245 approvals, reports, and associated data or equivalent third-party standards. ()

03. ETSPs. (3-31-22)()

a. In addition to the items ~~listed~~ in Subsection 009.02, ETSP plan and specification submittals must include: (3-31-22)()

i. A plan for training and certifying system installers and service providers under Section 006; (3-31-22)

ii. ~~An operation and maintenance~~ A manual ~~which contains~~ containing all operation and maintenance specified by the design engineer or manufacturer and the Department; and (3-31-22)()

iii. A quality assurance project plan ~~which documents~~ documenting how sampling will occur if ~~sampling is~~ required by the Director for product approval and continued monitoring. (3-31-22)()

~~b.~~ ~~Manufacturers seeking approval of these systems for reducing total suspended solids (TSS) and carbonaceous biological oxygen demand 5 day (CBOD5) when used with residential strength wastewater must submit NSF/ANSI 40: Residential Onsite Systems approvals, reports, and associated data or equivalent third party standards.~~ (3-31-22)

~~e.~~ ~~Manufacturers seeking approval for reduction of total nitrogen (TN) must submit NSF/ANSI 245: Nitrogen Reduction approvals, reports, and associated data or equivalent third party standards.~~ (3-31-22)

~~db.~~ Design and installation of these systems must meet the following: (3-31-22)

i. The effluent is discharged to a drainfield meeting the requirements of a standard drainfield as directed in Section 008 or a Director-approved alternative. (3-31-22)

ii. ~~Separation between the bottom of the trench or bed to limiting layers protects ground water quality if the distance deviates from the table in Subsection 008.02.e.~~ (3-31-22)

iii. ~~The distribution laterals within the trench or bed meet the requirements of Section 008 or a Director approved alternative.~~ (3-31-22)

~~iv. Tank access lids are to grade or above with a sealed riser and fitted with a secured lid for monitoring and maintenance. (3-31-22)~~

~~vii. If vertical separation distances are reduced from the distances defined in the table in Subsection 008.021.c., the reduced separation must protect groundwater quality and a sampling port has to must be installed to provide a access to representative samples of the effluent from the system. (3-31-22)()~~

~~ec. Within thirty (30) days of completing installation of an ETPS, the property owner shall must provide certification to the health district from a representative approved by the manufacturer that the system has been installed and will operate in accordance with the manufacturer's recommendations. The health district shall must not finalize the subsurface sewage disposal installation permit until the certification of proper installation and operation is received and includes information on the manufacturer, product, model number, and serial number of the ETPS installed. (3-31-22)()~~

~~fd. Property owners with an ETPS installed on their property must have all operation, maintenance, and monitoring requirements specified in the permit completed by June 30th of each year by a certified service provider in accordance with Section 006, including effluent monitoring if required by the permit. The certified service provider who completed operation, maintenance, and monitoring for the system as specified in the TGM must submit an annual report to the Director by July 31st of each calendar year demonstrating that the system is working as designed. (3-31-22)()~~

~~ge. Permit requirements for ETPSs transfer with ownership changes. Before transferring ownership of a property with an ETPS, the system owner must notify all transferees of the ETPS operation, maintenance, and monitoring requirements. Within thirty (30) days of transferring ownership of a property with an ETPS, the transferee must notify the health district of the new owner of the property. (3-31-22)()~~

~~04. Proprietary Wastewater Treatment Systems PWTPs. (3-31-22)()~~

~~a. Manufacturers seeking approval for these systems for reducing total suspended solids (TSS) and carbonaceous biological oxygen demand 5-day (CBOD5) when used with residential strength wastewater must submit NSF/ANSI 40: Residential Onsite Systems approvals, reports, and associated data or equivalent third party standards. (3-31-22)~~

~~b. Manufacturers seeking approval for reduction of total nitrogen (TN) must submit NSF/ANSI 245: Nitrogen Reduction approvals, reports, and associated data or equivalent third party standards. (3-31-22)~~

~~ea. Proprietary wastewater sSystem media utilized used with a proprietary wastewater treatment system PWTP must: (3-31-22)()~~

~~i. Be constructed or manufactured from materials that are non-decaying and non-deteriorating and do not leach unacceptable chemicals when exposed to sewage and the subsurface soil environment; (3-31-22)~~

~~ii. Support the distribution pipe and provide suitable effluent distribution and infiltration rate to the absorption area at the soil interface; and (3-31-22)~~

~~iii. Maintain the integrity of the trench or bed. The material used, by its nature and manufacturer-prescribed installation procedure, needs to must withstand the physical forces of the soil sidewalls, soil backfill, and weight of equipment used in the backfilling. (3-31-22)()~~

~~db. Design and installation of these systems must meet the following: (3-31-22)~~

~~i. The effluent is discharged to a drainfield that meets the required effective soil depth for standard drainfields as directed in Section 008. (3-31-22)~~

~~ii. Separation between the bottom of the manufactured medium sand component of the proprietary wastewater treatment system to limiting layers protects ground water quality if the distance deviates from the table in~~

~~Subsection 008.02.e. (3-31-22)~~

~~iii. The distribution laterals within the trench or bed meet the requirements of Section 008 or a Director approved alternative. (3-31-22)~~

~~iv. Drainfields sized is based on the requirements of a standard drainfield or the manufacturer's recommended minimum sizing requirement or the maximum daily flow of effluent divided by the hydraulic application rate for the applicable soil design subgroup, whichever is greater; and (3-31-22)()~~

~~v. Pressure distribution, when used with a proprietary wastewater treatment product, is designed by an Idaho licensed professional engineer. (3-31-22)~~

~~ec. A proprietary wastewater treatment system. A system using a PWTP may be required to follow the same operation, maintenance, monitoring, and reporting requirements described in Subsection 009.03.f.d. due to factors such as product complexity and/or site-specific constituent reduction requirements. (3-31-22)()~~

~~fd. Permit requirements for these systems transfer with ownership changes. Before transferring ownership of a property with this system, the system owner must notify all transferees of the system operation, maintenance, and monitoring requirements. Within thirty (30) days of transferring ownership of a property with the system, the transferee must notify the health district of the new owner of the property. (3-31-22)()~~

05. Effect of Design Approval Effect. The Director may condition a design approval by specifying circumstances under which the component must be installed, used, operated, maintained, or monitored. (3-31-22)()

a. The Director ~~shall~~ will specify the complex alternative systems that must undergo professionally managed operation, maintenance, service, or effluent testing. (3-31-22)()

b. Manufacturers ~~shall~~ will provide training to a reasonable number of service providers to perform required operation, maintenance, or monitoring as specified by the Director. (3-31-22)()

c. Manufacturers may enter into agreements with certified service providers trained in their technology but ~~shall~~ must not limit the service providers from ~~being trained~~ training in the technology of other manufacturers. (3-31-22)()

06. Notice of Design Disapproval Notice. If the Director ~~is satisfied that~~ determines the component described in the submittal ~~may not be in compliance~~ does not comply with or may not consistently function in compliance with these rules, or ~~that~~ the manufacturer of the proposed system failed to comply with Subsection 009.03, the Director will disapprove the design as submitted. ~~The and notify the~~ manufacturer or distributor submitting the design ~~for approval will be notified,~~ in writing, of the disapproval and the reason for that action. (3-31-22)()

07. Amendments or Revocations. The Director may amend or revoke any permit or system approved by the Department if: (3-31-22)

~~a. Approval was based on false or misleading information; (3-31-22)~~

~~b. The material, technology, or design no longer achieves performance standards for which it was approved or does not meet the intent of the rules; or (3-31-22)~~

~~e. The manufacturer is not meeting the requirements of these rules or conditions of the approval. (3-31-22)~~

010. VARIANCES.

01. Technical Allowance. The Director may make a minor technical allowance to the dimensional or construction requirements ~~of these rules~~ for a standard system if the allowance: (3-31-22)()

- a. ~~The allowance will~~ **Does** not affect adjacent property owners or the public at large; (3-31-22)(____)
- b. ~~The allowance will~~ **Does** not violate the ~~conditions of Subsection 004.01; and~~ **intent of the rules.** (3-31-22)(____)
- c. ~~The allowance will~~ **Does** not ~~be in~~ conflict with any other rule, regulation, standard, or ordinance; **and** (3-31-22)(____)
- d. ~~The allowance to~~ **Changes** a dimensional requirement is not more than ten percent (10%) ~~of the requirements of these rules~~ unless otherwise provided for in the ~~Technical Guidance Manual TGM.~~ (3-31-22)(____)
- 02. Variance Petition for Variance.** ~~If a petition of variance to these rules is desired, a request for a variance may be filed with the Director. The petition shall contain the following~~ **A petition for rule variance must be filed with the Director and include the following detailed statements describing:** (3-31-22)(____)
- a. ~~A concise statement of~~ **The** facts upon which the variance is requested including a description of the intended use of the property, the estimates of the quantity of blackwaste or wastewater to be discharged, and a description of the existing site conditions; (3-31-22)(____)
- b. ~~A concise statement of why the~~ **The reason** petitioner believes that compliance with the provision from which variance is sought would impose an arbitrary or unreasonable hardship, and **a list** of the injury ~~that the grant of the~~ variance would impose on the public; and (3-31-22)(____)
- c. ~~A clear statement of~~ **The** precise extent of the relief sought. (3-31-22)(____)
- 03. Public Notice.** ~~At the time of~~ **When** filing a petition, evidence ~~shall~~ **must** also be submitted ~~that showing:~~ (3-31-22)(____)
- a. ~~A notice has appeared in the local newspaper advising the public of the request for variance;~~ (3-31-22)
- b. ~~A all property owners within three hundred (300) feet of the affected site have been were notified fifteen (15) days before filing the petition; and~~ (3-31-22)(____)
- c. ~~Such notices to the public have been made fifteen (15) days prior to the filing of the petition.~~ (3-31-22)
- 04. Objections to Petition Objections.** Any person may file with the Department, within twenty-one (21) days after the filing ~~of~~ the petition, a written objection to the grant of the variance. A copy of ~~such the~~ objection **shall** **must** be provided by the Department to the petitioner. (3-31-22)(____)
- 05. Investigation and Decision.** After investigating the variance petition and considering the views of persons who might be adversely affected by the grant of the variance, the Director ~~shall~~ **will**, within sixty (60) days after the filing of the petition, make a decision ~~as to the disposition of~~ **regarding** the petition. ~~The decision, a copy of which shall be served on the petitioner, shall include~~ **The Department will provide the decision to the petitioner, including:** (3-31-22)(____)
- a. A description of the efforts made by the Director to investigate the facts as alleged and to ~~ascertain obtain and summarize~~ the views of persons who might be affected, ~~and a summary of the views so ascertained;~~ (3-31-22)(____)
- b. A statement of the degree to which, if at all, the Director disagrees with the facts as alleged in the petition; **and** (3-31-22)(____)
- c. Allegations of any other facts believed relevant to the disposition of the petition; **and**. (3-31-22)(____)

~~d. The Director's decision. (3-31-22)~~

06. **Limitations on Decision.** No technical allowance or variance ~~shall~~ will be granted unless: (3-31-22)()

a. Adequate proof is shown by the petitioner that compliance would impose an arbitrary or unreasonable hardship; (3-31-22)

b. The technical allowance or variance rendered is consistent with the recommendations of the ~~Technical Guidance Committee TGC~~ TGC or the ~~Technical Guidance Manual TGM~~ TGM in use at the time of the petition; and (3-31-22)()

c. The Director has determined that the approval of the technical allowance or variance will not ~~have an adverse impact on the public health or the environment~~ violate the intent of the rules. (3-31-22)()

011. INSPECTIONS.

01. **One or More Inspections** ~~Required. Such~~ The Director will require inspections ~~as are~~ necessary to determine compliance with any ~~requirement or~~ provision of these rules ~~shall be required by the Director.~~ (3-31-22)()

02. **Duty to Uncover.** The permittee ~~shall~~ must, at the request of the Director, uncover or make available for inspection any portion or component of ~~an individual or subsurface sewage disposal system which was a system under construction or~~ covered or concealed in violation of these rules. (3-31-22)()

03. **Advance Notice by Permittee.** If an inspection requires ~~some type of~~ preparation, such as test hole excavation or partial construction of the system, the applicant or permittee ~~will~~ must notify the Director at least forty-eight (48) hours in advance, excluding weekends and holidays, ~~before the time preparation will be completed.~~ (3-31-22)()

04. **Substantiating Receipts and Delivery Slips.** ~~The permittee shall u~~ Upon request by the Director's request, the permittee must provide copies of receipts, delivery slips, or other similar documents to substantiate the origin, quality, or quantity of materials used in ~~the construction of any individual or subsurface system constructing any system.~~ (3-31-22)()

05. **Finalizing a Permit.** No system may receive wastewater until the Director conducts a final installation inspection and completes as-built drawings and specifications depicting the actual installation. The Director will provide a copy of the final as-built drawing to the owner within thirty (30) days after completing the final inspection. ()

012. VIOLATIONS AND PENALTIES.

01. **Failure to Comply.** All individual and subsurface sewage disposal systems ~~shall~~ must be constructed and installed according to these rules. Failure by any person to comply with the permitting, licensing, approval, installation, or variance provisions of these rules ~~shall be deemed is~~ a violation of these rules. (3-31-22)()

02. **System Operation.** No person ~~shall~~ may discharge pollutants into the ~~underground water of the state of Idaho~~ waters through an individual or subsurface sewage disposal system unless in accordance with the provisions of these rules. (3-31-22)()

03. **Violation a Misdemeanor.** Pursuant to Section 39-117, Idaho Code, any person who willfully or negligently violates any of the provisions of these rules shall be guilty of a misdemeanor. (3-31-22)

03. **Amendments or Revocations.** At any time, the Director may amend or revoke any installation or registration permit or the approval of any system component approved by the Department if: ()

a. Approval was based on false or misleading information; ()

b. The material, technology, or system no longer achieves performance standards for which it was approved, does not meet the conditions of approval, or does not meet the intent of the rules; or ()

c. The permitted installer, service provider, or pumper is not in compliance with or has violated the provisions of these rules ()

04. Notice. Except in emergencies, the Department will issue a written notice of intent to revoke to the permittee before final revocation. Revocation becomes final within thirty-five (35) days of the permittee receiving notice unless, within that time, the permittee requests an administrative hearing in writing. The hearing is conducted according to IDAPA 58.01.23, Contested Case Rules and Rules for Protection and Disclosure of Records. ()

013. ~~LARGE SOIL ABSORPTION SYSTEM DESIGN AND CONSTRUCTION~~ LSAS.

01. Site Investigation. A site investigation ~~for a large soil absorption system conducted~~ by a soil scientist ~~and/or hydrogeologist may be required by the Director for review and approval and shall be coordinated with the Director. Soil and site investigations shall conclude that the effluent will not adversely impact or harm the waters of the State determining whether the LSAS effluent will adversely impact the waters must be submitted to the Director for review and approval.~~ conducted by a soil scientist and/or hydrogeologist may be required by the Director for review and approval and shall be coordinated with the Director. Soil and site investigations shall conclude that the effluent will not adversely impact or harm the waters of the State determining whether the LSAS effluent will adversely impact the waters must be submitted to the Director for review and approval. (3-31-22)()

02. Installation Permit Plans. Installation permit application plans, ~~as outlined in Subsection 005.04, for an large soil absorption system LSAS submitted for approval shall must~~ include provisions for inspections ~~by the design engineer, designee, or Director of the work during construction by the design engineer or his designee and/or by the Director.~~ by the design engineer, designee, or Director of the work during construction by the design engineer or his designee and/or by the Director. (3-31-22)()

03. Module Size. The maximum size of any subsurface sewage disposal module ~~shall must~~ be ten thousand (10,000) gallons per day. Developments with greater than ten thousand (10,000) gallons per day flow ~~shall must~~ divide the system into absorption modules designed for ten thousand (10,000) gallons per day or less. (3-31-22)()

04. Standard ~~Large Soil Absorption System~~ LSAS Design Specifications. (3-31-22)()

a. All design elements and applications rates ~~shall be arrived at by~~ must be developed using sound engineering practice and ~~shall be~~ provided by a professional engineer licensed by the state of Idaho ~~and specializing in environmental or sanitary engineering.~~ (3-31-22)()

b. All design and installation requirements for standard systems apply to LSASs unless otherwise specified in this section. ()

bc. Within thirty (30) days of completing system installation ~~completion,~~ the design engineer ~~shall must~~ provide either as-built plans or a certificate that the system ~~has been was~~ installed in substantial compliance with the installation permit application plans. (3-31-22)()

ed. Effective Soil Depths. Effective soil depths, in feet, below the bottom of the absorption module to the site conditions must be equal to or greater than the following table:

TABLE—EFFECTIVE SOIL DEPTHS			
Site Conditions <u>Limiting Layer</u>	Design	Soil	Group
<u>Limiting Layer</u>	A	B	C
Impermeable Layer	8	8	8

TABLE -- EFFECTIVE SOIL DEPTHS			
Site Conditions Limiting Layer	Design	Soil	Group
Fractured Bedrock, Fissured Bedrock or Extremely Permeable Material	12	8	6
Normal High Groundwater Level	12	8	6
Seasonal High Groundwater Level	2	2	2

(3-31-22)()

~~de.~~ ~~Separation Distances.~~ The disposal area absorption module must be located so that the following separation distances ~~given provided in the following table~~, in feet, are maintained or exceeded ~~as outlined in the following table~~:

TABLE -- SEPARATION DISTANCES			
Feature of Interest	Design	Soil	Group
	A	B	C
All Domestic Water Supplies			
Sewage Volume - 2,500-5,000 GPD	250	200	150
Sewage Volume - 5,000-10,000 GPD	300	250	200
Property Lines			
Sewage Volume - 2,500-5,000 GPD	50	50	50
Sewage Volume - 5,000-10,000 GPD	75	75	75
Building Foundations - Basements			
Sewage Volume - 2,500-5,000 GPD	50	50	50
Sewage Volume - 5,000-10,000 GPD	75	75	75
Downslope Cut or Scarp			
Impermeable Layer - Below Base	100	50	50
Separation Distance - Between Modules	12	12	12

(3-31-22)()

~~ef.~~ ~~No large soil absorption system shall~~ **No LSAS may** be installed above a downslope scarp or cut ~~unless it can be demonstrated that the installation will not result in effluent surfacing at the cut or scarp unless approved by the Director.~~ (3-31-22)()

~~fg.~~ A minimum of two (2) disposal systems ~~will must~~ **will must** be installed, each sized to accept the daily design flow, and a replacement area equal to the size of one (1) disposal system ~~will must~~ **will must** be reserved. (3-31-22)()

~~gh.~~ The vertical and horizontal hydraulic limits of the receiving soils ~~shall must~~ **shall must** be established and flows ~~shall must~~ **shall must** not exceed such limits ~~so as~~ to avoid hydraulically overloading any absorption module and replacement area. (3-31-22)()

~~hi.~~ The distribution system must be pressurized with a duplex dosing system. (3-31-22)

- ~~i. A geotextile filter fabric shall cover the aggregate. (3-31-22)~~
- j. An in-line effluent filter between an extended treatment system or lagoon system and the large soil absorption area ~~shall~~ **must** be installed. (3-31-22)()
- k. Observation pipes ~~shall~~ **must** be installed to the bottom of the ~~drainrock~~ **aggregate** throughout the drainfield. (3-31-22)()
- ~~l. Pneumatic tired machinery travel over the excavated infiltrative surface is prohibited. (3-31-22)~~
- ~~m. The drainfield disposal area shall~~ **must** be constructed to allow for surface drainage and to prevent ponding of surface water **erosion**. Before the system is put into operation the absorption module disposal area shall be seeded with typical lawn grasses and/or other appropriate shallow rooted vegetation. (3-31-22)()
- ~~05. Large Septic Tanks. Large Septic Tanks shall be constructed according to Section 007, except as outlined in this Subsection: (3-31-22)~~
- ~~a. Length to width ratios shall be maintained at least at a three to one (3:1) ratio. (3-31-22)~~
- ~~b. Tank inlet shall allow for even distribution of the influent across the width of the tank. (3-31-22)~~
- ~~e. The width to liquid depth ratio shall be between one to one (1:1) and two and one quarter to one (2.25:1). (3-31-22)~~
- ~~06.5. Monitoring and Reporting.~~ Before an installation permit is issued, **the Director will approve** a monitoring and reporting plan ~~shall be approved by the Director and shall~~ **that** contains the following minimum criteria: (3-31-22)()
- a. Monthly recording and inspection for ponding in all observation pipes. (3-31-22)
- b. Monthly recording of influent flows based on lapse time meter ~~and/or~~ event meter of the dosing system. (3-31-22)()
- c. Monthly recording of groundwater elevation measurements at all monitoring wells if high seasonal groundwater is within fifteen (15) feet of the ground surface. (3-31-22)
- d. Semi-annual groundwater monitoring at all monitoring wells. (3-31-22)
- ~~e. Monitoring shall conform to the requirements of all federal, state, and local rules and regulations. (3-31-22)~~
- ~~f. An annual "Large Soil Absorption System Report LSAS" shall~~ **including operation, maintenance, and monthly and annual monitoring data, must** be filed with the Director no later than January 31 of each year for the last twelve (12) month period ~~and shall include section on operation, maintenance and monthly and annual monitoring data. (3-31-22)()~~
- ~~07.6. Operation and Maintenance.~~ Before an installation permit is issued, an operation and maintenance plan ~~shall~~ **must** be approved by the Director and ~~shall~~ contain the following minimum criteria: (3-31-22)()
- a. Annual or more frequent rotation of the disposal systems, and whenever ponding is noted. (3-31-22)
- b. A detailed operation and maintenance manual, fully describing and locating all elements of the system and outlining maintenance procedures needed for operation of the system and who ~~will be~~ **is** responsible for system maintenance, ~~shall~~ **must** be submitted to the Director ~~prior to~~ **before** system use. (3-31-22)()

c. A maintenance entity ~~shall~~ must be specified to provide continued operation and maintenance. ~~Approval of the entity shall be made by the Director prior to issuance of an installation permit according to the operator requirements in IDAPA 58.01.16, Wastewater Rules, and approved by the Director before issuance of an installation permit. The entity may assume the responsibilities of a service provider if a service provider is required.~~ (3-31-22)()

014. -- 049. (RESERVED)

050. ~~CLEANING OF SEPTIC TANKS—GENERAL REQUIREMENTS~~ CLEANING.

All persons, firms, or corporations operating any tank truck or any other device or equipment used or intended ~~to be used for the purpose of~~ for pumping or cleaning septic tanks and ~~or~~ transporting or disposing of human excrement, ~~shall~~ must conform with the following ~~requirements~~ provisions. (3-31-22)()

01. Watertight Equipment to Be Watertight. The tank or transporting equipment ~~shall~~ must be watertight and ~~so~~ constructed ~~as~~ to prevent spilling or leaking while being loaded, transported, ~~and~~ or unloaded. (3-31-22)()

02. Cleanable Equipment to Be Cleanable. The tank or transporting equipment ~~shall~~ must be constructed ~~in such a manner so~~ that every portion of the interior and exterior can be easily cleaned and maintained in a clean condition at all times while not in ~~actual~~ use. (3-31-22)()

03. Disposal Methods. Disposal of ~~excrement~~ septage from septic tanks ~~shall be by~~ must apply the following methods ~~only~~: (3-31-22)()

- a. ~~Discharging~~ Discharge to a public sewer; (3-31-22)()
- b. ~~Discharging~~ Discharge to a sewage treatment plant; and (3-31-22)()
- ~~e.~~ Burying under earth in a location and by a method approved by the Department of Environmental Quality; (3-31-22)
- ~~dc.~~ Drying i in a location and by a method approved by the Department of Environmental Quality. (3-31-22)()

051. ~~CLEANING OF SEPTIC TANKS—PERMIT REQUIREMENTS.~~

04. Permit Application Contents. ()

- a. All persons operating septic tank pumping equipment ~~shall~~ must: ()
 - i. ~~Obtain a permit from the Idaho Department of Environmental Quality for the operation of~~ Director to operate such equipment; ()
 - ii. ~~Permits shall be renewed~~ Renew permit annually; and ()
 - iii. ~~Applications~~ Apply for permit renewal ~~of permits shall be made on or~~ before March 1 of each year. (3-31-22)()

01. ~~Permit Application Contents.~~ Applications for permits shall submit the following information on forms prepared by the Department: (3-31-22)

- b. The application must be submitted on forms approved by the Director and include: ()
 - ai. Number of tank trucks operated by owner; (3-31-22)
 - bii. Vehicle license number of each tank truck; (3-31-22)

- ~~eiii.~~ Name and address of owner ~~and~~/or operator of equipment; (3-31-22)()
- ~~div.~~ Name and address of business, if different from Subsection 051.01.c.; (3-31-22)
- ~~ev.~~ Methods of disposal to be used in all areas of operation; (3-31-22)
- ~~fvi.~~ Location of all disposal sites used by applicant; ~~and~~ (3-31-22)()
- ~~gvii.~~ ~~A~~~~e~~Complete basis of charges made for payment of the work performed. (3-31-22)()

~~025.~~ **Permit Fee.** All applications ~~shall~~ **must** be accompanied by payment of the fee specified in ~~Idaho Department of Environmental Quality Rules, IDAPA 58.01.14, Section 115,~~ “Rules Governing Fees for Environmental Operating Permits, Licenses, and Inspection Services.” (3-31-22)()

~~036.~~ **Vehicle Number to Be Displayed.** For each permit issued, a number ~~will be~~ **is** assigned to the owner ~~and~~/or operator of the tank truck or trucks. ~~The assigned number shall~~ **that must** be displayed at all times on the door of the vehicle or vehicles in a **legible** manner ~~easily legible~~. (3-31-22)()

~~04.~~ **Permit Suspension or Revocation.** ~~Permits issued are the property of the Department of Environmental Quality and may be suspended or revoked at any time the operator is not in compliance with the requirements of these rules.~~ (3-31-22)

052. -- 995. (RESERVED)

996. ADMINISTRATIVE PROVISIONS.
Persons may be entitled to appeal agency actions authorized under these rules pursuant to IDAPA 58.01.23, “Contested Case Rules and Rules for Protection and Disclosure of Records”. (3-31-22)

~~997.~~ **CONFIDENTIALITY OF RECORDS.**
~~Information obtained by the Department under these rules is subject to public disclosure pursuant to the provisions of Title 74, Chapter 1, Idaho Code, and IDAPA 58.01.21, “Rules Governing the Protection and Disclosure of Records in the Possession of the Department of Environmental Quality.”~~ (3-31-22)

~~998.~~ **999. (RESERVED)**

**OFFICE OF THE ADMINISTRATIVE RULES COORDINATOR,
DIVISION OF FINANCIAL MANAGEMENT**

IDAPA 63 – IDAHO COUNCIL ON DOMESTIC VIOLENCE AND VICTIM ASSISTANCE

DOCKET NO. 63-0504-2400

NOTICE OF RULEMAKING – ASSIGNMENT OF NEW IDAPA DESIGNATION NUMBER

EFFECTIVE DATE: The effective date of this action is July 1, 2024.

AUTHORITY: In compliance with Sections 67-5202(2), 67-5202(3), and 67-5203, Idaho Code, notice is hereby given by the Office of the Administrative Rules Coordinator that the Idaho Council on Domestic Violence and Victim Assistance (ICDVVA, Council) has been assigned a new IDAPA designation number. Under the Administrative Procedures Act (APA), the Rules Coordinator is charged with maintaining the Administrative Code and empowered to prescribe a uniform style, form, and numbering system for all rules.

DESCRIPTIVE SUMMARY: The following is a statement in nontechnical language of the substance of this notice:

Since its inception, ICDVVA has shared the same IDAPA number – 16 – with the Department of Health and Welfare (DHW, Department) despite having its own rulemaking authority and being a separate agency from DHW. Accordingly, the Coordinator has determined it is more appropriate to separately designate ICDVVA as its own IDAPA number – 63 – to reflect the statutory independence of the Council. This redesignation is administrative in nature; it does nothing to change or otherwise modify the statutory power granted to the Council.

The Council will continue to rely on the Department for fiscal and administrative purposes but will remain programmatically independent of DHW with a separate leadership structure.

This notice, in accordance with Section 67-5202, Idaho Code, complies with the statutory intent of the APA by redesignating the affected chapter of rules of the Idaho Council on Domestic Violence and Victim Assistance, Domestic Violence Council Grants. The rules are now indexed as **IDAPA 63, Title 05, Chapter 04**.

Notwithstanding the provisions of Title 67, Chapter 52, Idaho Code, non-substantive changes will be made to update all references and citations within the rules currently under the authority of the Council and include, but are not limited to, the following:

- All citations and references to IDAPA 16, Title 05, Chapter 04, Idaho Council on Domestic Violence and Victim Assistance, are hereby redesignated as:
- **63.05.04** – Domestic Violence Council Grants.

Pursuant to Sections 67-5202, 67-5203, and 67-5204, Idaho Code, the text of the above-listed chapter is being published after this notice and will be incorporated into the current Idaho Administrative Code on July 1, 2024. All rule citations and references have been updated to reflect the transfer of the rule chapter enumerated in, and effectuated by, this notice.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this notice, contact the undersigned.

Dated this 5th Day of June, 2024.

Bradley A. Hunt
Administrative Rules Coordinator
Office of the Administrative Rules Coordinator
Division of Financial Management
P. O. Box 83720
Boise, ID 83720-0032
Phone: (208) 854-3096

THE FOLLOWING IS THE TEXT OF THE RULE CHAPTER RE-INDEXED IN THIS NOTICE.

63.05.04 – DOMESTIC VIOLENCE COUNCIL GRANTS

000. LEGAL AUTHORITY.

Under Section 39-5209, Idaho Code, the Idaho Council on Domestic Violence and Victim Assistance is authorized to promulgate, adopt, and amend rules regarding applications and grants administered by the Council. (4-6-23)

001. SCOPE.

These rules define the application process, eligibility determination, and other requirements for the grants administered by the Council. (4-6-23)

002. -- 009. (RESERVED)

010. DEFINITIONS.

For the purpose of these rules, the following definitions apply: (4-6-23)

01. Council. The Idaho Council on Domestic Violence and Victim Assistance (ICDVVA). (4-6-23)

02. Domestic Violence. Crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the state of Idaho, or a family or household member. This definition also includes criminal or non-criminal acts constituting intimidation, control, coercion and coercive control, emotional and psychological abuse and behavior, expressive and psychological aggression, financial abuse, harassment, tormenting behavior, disturbing or alarming behavior, and additional acts. This definition applies to individuals and relationships as set forth in 45 CFR 1370.2. (4-6-23)

03. Program Guidelines. Collectively, the applicable federal and state statutes, these rules, grant applications, application instructions and scoring rubrics published by the Council regarding grant opportunities, Council grant management manuals, Council service standards for funded programs, Council grant management policies and procedures, and written grant or subgrant agreements entered into with successful grant applicants, all of which will be enforced by the Council. (4-6-23)

04. Regions. The (7) public health districts as defined in Section 39-408, Idaho Code. (4-6-23)

05. Victim. A person who suffers direct or threatened physical, sexual, emotional, psychological, or financial harm either: (4-6-23)

a. As a result of an act by someone else and the act causing harm is a crime under state or federal law; or (4-6-23)

b. As a result of an act by someone with whom they share a relationship as defined in Section 39-6303(1), (2), (3), and (6), Idaho Code. (4-6-23)

011. -- 014. (RESERVED)

015. GENERAL GRANT PROGRAM REQUIREMENTS.

01. Application Procedure. All applicants must meet eligibility requirements specified in program guidelines for their application to be considered. Eligible applicants must submit a completed application to the

Council and meet the requirements specified in program guidelines prior to the application deadline. (4-6-23)

02. Review and Selection of Applications. All eligible grant applications will be reviewed, scored, and selected by the Council under the selection criteria specified in the program guidelines. All applicants will be notified of their application status in a reasonable timeframe after the application deadline. The Council may conduct on-site and remote evaluations and follow-up evaluations as specified in the program guidelines. (4-6-23)

03. Written Agreements. All applicants selected for grant funding must enter into a written grant or subgrant agreement setting forth the terms of their grant. Procedures for payment are set forth in the agreement. Non-compliance with agreement provisions are grounds for non-payment or termination of the grant. (4-6-23)

04. Reporting and Recordkeeping Requirements. The grantee must maintain accurate, current, and complete client, administrative, and fiscal records, including accurate records of the receipt, obligation, and disbursement of funds, under the requirements specified in the program guidelines. (4-6-23)

05. Termination of Funding. The grantee may only use the grant funds in accordance with program guidelines. If at any time the Council becomes aware of a grantee's noncompliance with program guidelines, illegal use of grant funds or fraud, or criminal activity, the Council may terminate the agreement. The Council may require an audit of grant funds. The Council may further terminate a grant if the project loses viability or is unlikely to meet the intent of the original application. (4-6-23)

016. GRANT AWARDS AND ELIGIBILITY.

01. State Domestic Violence Project Grants. To be eligible for a state domestic violence grant, a program must comply with the applicable requirements of Sections 39-5210 and 39-5211, Idaho Code, these rules, and any additional requirements in the grant application announcement from the Council. (4-6-23)

02. Federal Family Violence and Services Act (FVPSA). To be eligible for a FVPSA grant, a program must comply with all the applicable sections of the Family Violence Prevention and Services Act, other federal rules and regulations, and any additional requirements in the grant application announcement from the Council. (4-6-23)

03. Federal Victims of Crime Act (VOCA) Grant. To be eligible for a VOCA grant, a program must comply with all the applicable sections of the Victims of Crime Act, any other federal rules and regulations that apply, these rules, and any additional requirements listed in the grant application announcement from the Council. (4-6-23)

04. State Offender Intervention Program Grants. The Council may offer and administer grant funds to offender intervention programs. (4-6-23)

05. Tribes. All federally acknowledged tribes in the State of Idaho are eligible for Council funding. (4-6-23)

06. Other Grants. The Council may administer other state or federal grants or funds, or both, within its authority under Section 39-5208, Idaho Code, under these rules, and within its discretion. (4-6-23)

017. TIME FRAMES.

01. Grant Applications for Annual Grants from the Council. (4-6-23)

a. When each funding opportunity becomes available, the Council will publish a "Grant Application Announcement" (GAA) on the Council website at icdv.idaho.gov. The GAA will specify the deadline for submission of proposals. In no event will the deadline be less than sixty (60) days from the date of the publication of the GAA. (4-6-23)

b. The Council will comply with all other applicable state or federal laws requiring the publication of a GAA notice. (4-6-23)

c. A copy of each GAA will also be sent to current grantees and to persons and organizations who have requested notification. Anyone requesting notification of solicitations of grant proposals must email their request to info@icdv.idaho.gov with “Grant Application Notice Request” in the subject line. (4-6-23)

d. Applications for annual grants must be delivered as specified in the GAA, no later than the date and time specified therein. (4-6-23)

02. Proposals or Supplemental Grants. Applications for supplemental grants may be submitted for consideration at any time during the effective period of a grant as specified in the program guidelines. (4-6-23)

018. DISPOSITION OF APPLICATIONS.

The Council will grant or deny funding as specified below, and all applicants will be notified in writing as to the disposition of their application. (4-6-23)

01. Applications. The Council will grant or deny funding for applications within ninety (90) days of the application deadline. (4-6-23)

02. Supplemental Applications. Allocation of supplemental funding is made at the discretion of the Council, based upon the availability of funds. Need is determined by evaluating the best available data. (4-6-23)

03. Late Applications. If funds remain after the Council’s consideration of all timely initial and renewal applications, applications for funding received after the deadline specified in any GAA may be acted upon at a regularly scheduled meeting of the Council. (4-6-23)

019. EVALUATION OF APPLICATIONS.

Applications are evaluated according to the following criteria: (4-6-23)

01. Threshold Factors. Before an application is evaluated and scored, an affirmative determination must be made that the application is complete and the applicant’s program meets the eligibility requirements under Section 016 of these rules. Ineligible projects will not be considered or approved. (4-6-23)

02. Scoring of Applications. (4-6-23)

a. Use of Rubric. When the GAA is released, the Council will specify the criteria to be used in evaluating the applications and the scoring rubric to be used. When the Council announces its funding decision for a project, the Council will include the applicant’s score. (4-6-23)

b. Scoring. There will be two (2) Council members and two (2) Council staff responsible for evaluating and scoring each eligible application using the scoring rubric released with the application. Council members may not score applications from applicants within the region that they represent. (4-6-23)

03. Evaluation Criteria. The specific criteria used by the Council may vary with each funding opportunity and will be based upon best available data regarding statewide and regional needs and federal program requirements. However, the criteria will generally include at least consideration of the following: (4-6-23)

a. Compliance with federal and state grant requirements; (4-6-23)

b. Assessment of existing victim services in the community and demonstrated need for current and proposed services; (4-6-23)

c. Adequate training of employees and volunteers in trauma-informed care and the implementation of such care; (4-6-23)

d. Plans for expansion where service gaps exist, especially among underserved populations; (4-6-23)

e. Resourcefulness and efficiency of program; (4-6-23)

- f. Stability of program and succession planning to ensure continuity of service delivery; (4-6-23)
- g. Appropriate and responsible fiscal management of program; and (4-6-23)
- h. Collaboration between and among programs. (4-6-23)

020. PROJECT EVALUATIONS.

01. Initial Evaluation. Prior to the awarding of an initial grant, the Council is authorized to conduct an on-site evaluation of the program to ensure that the program is in substantial compliance with these rules and applicable program guidelines, and to determine the capability of the program to provide the services for which funding is requested. The program must provide for review of any and all client records, program records, financial statements, and other documents needed by the Council to make its determination, including any information that may have changed since the time the application was submitted. (4-6-23)

02. Federally Required Monitoring. The Council will comply with all federal monitoring requirements, including the requirement to regularly monitor projects. The Council will evaluate projects at least every two (2) years. These evaluations may be conducted on-site or remotely. (4-6-23)

03. Follow-Up Evaluations. In addition to any initial on-site evaluation, the Council is authorized, upon reasonable notice to the program, to conduct such on-site evaluations of the program: (4-6-23)

- a. To determine continued compliance with these rules and the program guidelines and any other applicable requirements; or (4-6-23)
- b. To determine the continued capability of the program to provide the services for which funding has been granted. (4-6-23)

021. -- 029. (RESERVED)

030. DENIAL, SUSPENSION, OR TERMINATION OF GRANT.

01. Compliance Issues. A grant may be suspended pending investigation to determine compliance with these rules and the program guidelines. An application for a grant may be denied or a grant terminated if the program is not in compliance with these rules or the program guidelines. (4-6-23)

02. Misconduct. In cases of criminal conduct within a funded program, the Council may suspend or terminate funding until the matter is resolved and the program is again in compliance with grant requirements. (4-6-23)

03. Disincorporation. In the event a legal entity which is the recipient of a grant disincorporates, the Council must be informed in writing within twenty (20) days and the grant terminated. Grant funds for all but the portion of the fiscal year during which services required under the grant were performed must be recovered by the Council. Reallocation of remaining grant funds may be made by the Council to other eligible recipient(s). (4-6-23)

04. Internal Take-Over. If there is a change in legal control and operation of any entity which is a grant recipient, including substantial changes in the governing board, the Council must be notified in writing within twenty (20) days. The grant may continue in effect without interruption. (4-6-23)

031. -- 099. (RESERVED)

STATE DOMESTIC VIOLENCE GRANTS
(Sections 100-199)

100. STATE DOMESTIC VIOLENCE PROJECT GRANTS.

- 01. Overview.** Money may be granted to a program under the State Domestic Violence Project Grants,

Sections 39-5201 through 39-5213, Idaho Code, and any applicable policies, rules, and regulations. (4-6-23)

02. Distribution. The Council annually awards grants totaling no less than fifty-one percent (51%) of the funds collected under Section 39-5212, Idaho Code, during the last completed state fiscal year. On an annual basis, following determination by the Council of the total funds available for domestic violence grants, the Council will establish and announce the amount of funding available to eligible projects throughout the state. Grants will be awarded consistent with the requirements under Section 39-5212, Idaho Code. (4-6-23)

a. At its discretion, the Council may award any domestic violence grant funds not obligated or expended during any grant period. (4-6-23)

b. At its discretion, the Council may solicit proposals for specific types of programs or services to fill identified domestic violence shelter needs in any region. (4-6-23)

101. -- 199. (RESERVED)

VICTIM ASSISTANCE GRANTS
(Sections 200-299)

200. VICTIMS OF CRIME ACT (VOCA) VICTIM ASSISTANCE GRANTS.

01. Overview. Money may be granted to a program under Victims of Crime Act of 1984, P.L. 98-473, Title II, Chapter XIV, 42 U.S.C. 10601, et seq (VOCA), and any applicable rules and regulations. (4-6-23)

02. Distribution. On an annual basis, following the Council's receipt of a grant award letter from the U.S. Justice Department announcing the amount available for Idaho's victim assistance grant under VOCA, the Council will establish the amount of funding to be subgranted to qualifying projects. Determination of the actual percentage and amount of funds to be subgranted for the priority categories and any other categories, or for each region, or both, and for statewide projects will be based on best available data to the Council. (4-6-23)

a. Allocations for Priority and Other Categories. The Council will allocate the federal crime victim assistance funds granted to Idaho to programs in compliance with applicable VOCA regulations. (4-6-23)

b. Allocations for Service Areas. (4-6-23)

i. The Council will subgrant at least five percent (5%) of the available amount to eligible programs in each of the seven (7) regions of the state and five percent (5%) to eligible programs offering statewide services; if there are not statewide programs with eligible applicants and acceptable applications, the Council will use discretion in allocating the statewide portion elsewhere. The Council has the discretion to allocate remaining funds (sixty percent (60%)) throughout the state where needed. In all decisions regarding fund allocation, the Council will consider the best available data, including the type of services offered by each applicant and the types of services available or lacking in each region, and endeavor to fund programs in each region that ensure services to meet identified needs of victims are available. (4-6-23)

ii. At its discretion, the Council may solicit proposals for specific types of programs or services to fill identified victim service gaps in any region. (4-6-23)

c. Unexpended Funds. Any victim assistance grant funds not obligated or expended during any grant period will be apportioned by the Council at its discretion, within the established federal limits governing use of the funds. In the event that a program is unable to use all of its grant or subgrant within the time limits of the agreement, the Council has discretion to work with the program to reallocate funds to other programs. (4-6-23)

201. -- 299. (RESERVED)

FAMILY VIOLENCE GRANTS
(Sections 300-399)

300. FAMILY VIOLENCE PREVENTION AND SERVICES ACT (FVPSA) GRANTS.

01. Overview. Money may be awarded to a program under the Family Violence Prevention and Services Act (FVPSA) Grant, Title III of the Child Abuse Amendments of 1984 P.L. 98-457, 42 U.S.C. 10401, et seq. and any applicable rules and regulations. (4-6-23)

02. Distribution. If all seven (7) regions have qualified and eligible applicants, then ten percent (10%) of the FVPSA Grant funds will be awarded to each region. (4-6-23)

a. The Council has discretion to disperse the remaining funds (thirty percent (30%)) throughout the state based on need and demand for services, as determined by considering best available data, and consistent with FVPSA guidelines. If any regions do not have eligible applicants with acceptable applications, the Council will use discretion in allocating that region's remaining percentage to other programs as described above. (4-6-23)

b. At its discretion, the Council may solicit proposals for specific types of programs or services to fill identified victim service gaps in any region. (4-6-23)

301. -- 999. (RESERVED)

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LEGAL NOTICE

Summary of Proposed Rulemakings

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

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

*The proposed rule public hearing request deadline is June 19, 2024, unless otherwise posted.
The proposed rule written comment submission deadline is June 26, 2024, unless otherwise posted.
(Temp & Prop) indicates the rulemaking is both Temporary and Proposed.
(*PH) indicates that a public hearing has been scheduled.*

IDAPA 16 – DEPARTMENT OF HEALTH AND WELFARE PO Box 83720, Boise, ID 83720-0036

* **16-0601-2402, Child and Family Services.** (*PH) (Temp & Prop) Modified language specific to “social workers” is inclusive to family services workers, which includes licensed and non-licensed social workers and individuals with a human services degree allowing for foster care contact.

IDAPA 21 – IDAHO DIVISION OF VETERANS SERVICES 351 N Collins Rd, Boise, ID 83702

21-0104-2402, Rules Governing Idaho State Veterans Cemeteries. Rulemaking expands eligibility to non-retiree Guard and Reservists who completed an enlistment of service honorably, but otherwise ineligible, for interment at Idaho State Veterans Cemeteries.

IDAPA 52 – IDAHO STATE LOTTERY 1199 Shoreline Ln, Ste 100, Boise, ID 83702

52-0103-2401, Rules Governing Operations of the Idaho State Lottery. (Temp & Prop) Substantive changes provide lottery retailers the ability to pay prizes up to \$599 with no-fee prepaid prize payment cards and other modern methods of payment.

IDAPA 58 – DEPARTMENT OF ENVIRONMENTAL QUALITY 1410 N Hilton St, Boise, Idaho 83706

58-0103-2301, Individual/Subsurface Sewage Disposal Rules and Rules for Cleaning of Septic Tanks. ZBR Rewrite establishes: construction and use limits of sewage disposal systems; installation and registration permits; and general requirements for septic tank wastes.

NOTICE OF ADOPTED / AMENDED PROCLAMATION(S)

IDAPA 13 – IDAHO FISH AND GAME COMMISSION

13-0000-2400P3, Establishing Seasons and Limits for Hunting, Fishing, and Trapping in Idaho

NOTICES OF ADOPTION OF TEMPORARY RULE ONLY

IDAPA 11 – IDAHO STATE POLICE

11-1001-2401 (Fee Rule), Rules Governing Idaho Public Safety and Security Information System

IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES

24-0201-2401 (New Chapter, Fee Rule), Rules of the State Athletic Commission

NOTICES OF INTENT TO PROMULGATE RULES – NEGOTIATED RULEMAKING

(Please see the Administrative Bulletin for dates and times of meetings and other participant information)

IDAPA 02.08 – IDAHO SHEEP AND GOAT HEALTH BOARD

02-0801-2401, Sheep and Goat Rules of the Idaho Sheep and Goat Health Board

IDAPA 08 – STATE BOARD OF EDUCATION

08-0113-2401, Rules Governing the Opportunity Scholarship Program

08-0115-2401 (New Chapter), Rules Governing the Firearms Safety Grant Program

08-0202-2401, Rules Governing Uniformity

08-0203-2401, Rules Governing Thoroughness

08-0401-2401, Rules of the Idaho Digital Learning Academy

IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES

24-0401-2401, Rules of the Board of Registration for Professional Geologists

24-2101-2401, Rules of the Idaho State Contractors Board

24-3001-2401, Idaho Accountancy Rules

24-3201-2401, Rules of the Idaho Board of Licensure of Professional Engineers and Professional Land Surveyors

24-3501-2401, Rules of the Outfitters and Guides Licensing Board

24-3701-2401, Rules of the Idaho Real Estate Commission

24-3990-2401, Rules Governing the Damage Prevention Board

Please refer to the Idaho Administrative Bulletin **June 5, 2024, Volume 24-6**, for the notices and text of all rulemakings, proclamations, negotiated rulemaking and public hearing information and schedules, executive orders of the Governor, and agency contact information.

Electronic issues of the Idaho Administrative Bulletin can be viewed at www.adminrules.idaho.gov/

Office of the Administrative Rules Coordinator, Division of Financial Management

P.O. Box 83720, Boise, ID 83720-0032

Phone: 208-334-3900; Email: adminrules@dfm.idaho.gov

CUMULATIVE RULEMAKING INDEX OF IDAHO ADMINISTRATIVE RULES

*Office of the Administrative Rules Coordinator
Division of Financial Management
Office of the Governor*

July 1, 1993 – Present

CUMULATIVE RULEMAKING INDEX OF IDAHO ADMINISTRATIVE RULES

This 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
Division of Financial Management*

April 6, 2023 – June 5, 2024

(PLR 2024) – Final Effective Date Is Pending Legislative Review in 2024

(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-ZBRR-2301 *Rules of the Idaho Department of Agriculture* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 02, Chapters 13, 15; Title 03, Chapter 03; Title 04, Chapters 14, 23, 30, 32; and Title 06, Chapters 04, 09, 10, 16 – Bulletin Vol. 23-5

02.02.13, Commodity Dealers’ Rules

02-0213-2301 Adoption of Pending Rule (ZBR Chapter Rewrite, Fee Rule), Bulletin Vol. 24-1 (PLR 2024)

02-0213-2301 Notice of Proposed Rulemaking (ZBR Chapter Rewrite, Fee Rule), Bulletin Vol. 23-10

02-ZBRR-2301 *Rules of the Idaho Department of Agriculture* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 02, Chapter 13 – Bulletin Vol. 23-5

02.02.14, Rules for Weights and Measures

02-0214-2301 Adoption of Pending Rule, Bulletin Vol. 24-1 (PLR 2024)

02-0214-2301 Notice of Proposed Rulemaking, Bulletin Vol. 23-10

02.02.15, Rules Governing the Seed Indemnity Fund

02-0215-2301 Adoption of Pending Rule (ZBR Chapter Rewrite, Fee Rule), Bulletin Vol. 24-1 (PLR 2024)

02-0215-2301 Notice of Proposed Rulemaking (ZBR Chapter Rewrite, Fee Rule), Bulletin Vol. 23-10

02-ZBRR-2301 *Rules of the Idaho Department of Agriculture* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 02, Chapter 15 – Bulletin Vol. 23-5

02.03.03, Rules Governing Pesticide and Chemigation Use and Application

02-0303-2401 Adoption of Temporary Rule, Bulletin Vol. 24-5 (eff. 4-22-24)T [expires 7-1-24]

02-0303-2301 Adoption of Pending Rule (ZBR Chapter Rewrite, Fee Rule), Bulletin Vol. 24-1 (PLR 2024)

02-0303-2301 Notice of Proposed Rulemaking (ZBR Chapter Rewrite, Fee Rule), Bulletin Vol. 23-10

02-ZBRR-2301 *Rules of the Idaho Department of Agriculture* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 03, Chapter 3 – Bulletin Vol. 23-5

02.04.14, Rules Governing Dairy Byproduct

02-0414-2301 Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-1 (PLR 2024)

02-0414-2301 Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 23-10

02-ZBRR-2301 *Rules of the Idaho Department of Agriculture* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 04, Chapter 14 – Bulletin Vol. 23-5

02.04.23, Rules Governing Commercial Livestock Truck Washing Facilities

02-0423-2301 Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-1 (PLR 2024)

02-0423-2301 Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 23-10

02-ZBRR-2301 *Rules of the Idaho Department of Agriculture* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 04, Chapter 23 – Bulletin Vol. 23-5

02.04.30, Rules Governing Environmental and Nutrient Management

02-0430-2301 Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-1 (PLR 2024)

02-0430-2301 Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 23-10

02-ZBRR-2301 *Rules of the Idaho Department of Agriculture* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 04, Chapter 30 – Bulletin Vol. 23-5

02.04.32, Rules Governing Poultry Operations

02-0432-2301 Adoption of Pending Rule (ZBR Chapter Rewrite, Fee Rule), Bulletin Vol. 24-1 (PLR 2024)

02-0432-2301 Notice of Proposed Rulemaking (ZBR Chapter Rewrite, Fee Rule), Bulletin Vol. 23-10

02-ZBRR-2301 *Rules of the Idaho Department of Agriculture* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 04, Chapter 32 – Bulletin Vol. 23-5

02.06.01, Rules Governing the Production and Distribution of Seed

02-0601-2301 Adoption of Pending Rule (Fee Rule), Bulletin Vol. 24-1 (PLR 2024)

02-0601-2301 Notice of Proposed Rulemaking (Fee Rule), Bulletin Vol. 23-10

02-0601-2301 Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 23-7

02.06.02, Rules Governing Registrations and Licenses

- 02-0602-2301 Adoption of Pending Rule, Bulletin Vol. 24-1 (PLR 2024)
- 02-0602-2301 Notice of Proposed Rulemaking, Bulletin Vol. 23-10

02.06.04, Rules Governing Plant Exports

- 02-0604-2301 Adoption of Pending Rule (ZBR Chapter Rewrite, Fee Rule), Bulletin Vol. 24-1 (PLR 2024)
- 02-0604-2301 Notice of Proposed Rulemaking (ZBR Chapter Rewrite, Fee Rule), Bulletin Vol. 23-10
- 02-ZBRR-2301 **Rules of the Idaho Department of Agriculture** – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 06, Chapter 04 – Bulletin Vol. 23-5

02.06.09, Rules Governing Invasive Species and Noxious Weeds

- 02-0609-2401 Adoption of Temporary Rule, Bulletin Vol. 24-4 (eff. *sine die* 2024)T
- 02-0609-2304 *Adoption of Temporary Rule, Bulletin Vol. 24-1 (eff. 12-18-23)T [expires sine die 2024]*
- 02-0609-2303 *Adoption of Temporary Rule, Bulletin Vol. 23-11 (eff. 10-19-23)T [superseded]*
- 02-0609-2302 *Adoption of Temporary Rule, Bulletin Vol. 23-10 (eff. 9-21-23)T [superseded]*
- 02-0609-2301 Adoption of Pending Rule, Bulletin Vol. 24-1 (PLR 2024)
- 02-0609-2301 Notice of Proposed Rulemaking, Bulletin Vol. 23-10
- 02-ZBRR-2301 **Rules of the Idaho Department of Agriculture** – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 06, Chapter 09 – Bulletin Vol. 23-5

02.06.10, Rules Governing the Growing of Potatoes

- 02-0610-2301 Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-1 (PLR 2024)
- 02-0610-2301 Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 23-10
- 02-ZBRR-2301 **Rules of the Idaho Department of Agriculture** – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 06, Chapter 10 – Bulletin Vol. 23-5

02.06.16, Rules Governing Honey Standards

- 02-0616-2301 Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-1 (PLR 2024)
- 02-0616-2301 Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 23-10
- 02-ZBRR-2301 **Rules of the Idaho Department of Agriculture** – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 06, Chapter 16 – Bulletin Vol. 23-5

02.06.33, Organic Food Products Rules

- 02-0633-2301 Adoption of Pending Rule, Bulletin Vol. 24-1 (PLR 2024)
- 02-0633-2301 Notice of Proposed Rulemaking, Bulletin Vol. 23-10

02.08.01, Sheep and Goat Rules of the Idaho Sheep and Goat Health Board

- 02-0801-2401 Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-6

IDAPA 04 – OFFICE OF THE ATTORNEY GENERAL

04.11.01, Idaho Rules of Administrative Procedure of the Attorney General

- 04-1101-2300 Notice of Revocation of Final Rule, Bulletin Vol. 23-7

IDAPA 05 – DEPARTMENT OF JUVENILE CORRECTIONS

05.01.02, Rules and Standards for Secure Juvenile Detention Centers

- 05-0102-2301 Adoption of Pending Rule (ZBR Chapter Repeal), Bulletin Vol. 24-1 (PLR 2024)
- 05-0102-2301 Notice of Proposed Rulemaking (ZBR Chapter Repeal), Bulletin Vol. 23-10
- 05-0102-2301 Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 23-6

05.01.04, Uniform Standards for Juvenile Probation Services

- 05-0104-2301* Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-1 (PLR 2024)
*Changes chapter name from: “Uniform Standards for Juvenile Probation Services”
- 05-0104-2301* Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 23-10
- 05-0104-2301 Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 23-4

05.02.01, Rules for Residential Treatment Providers

- 05-0201-2301 Adoption of Pending Rule (ZBR Chapter Repeal), Bulletin Vol. 24-1 (PLR 2024)
- 05-0201-2301 Notice of Proposed Rulemaking (ZBR Chapter Repeal), Bulletin Vol. 23-10
- 05-0201-2301 Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 23-6

**IDA PA 08 – IDAHO STATE BOARD OF EDUCATION
AND STATE DEPARTMENT OF EDUCATION**

08.01.02, Rules Governing the Postsecondary Credit Scholarship Program

- 08-0102-2301 Adoption of Pending Rule (Chapter Repeal), Bulletin Vol. 23-12 (PLR 2024)
- 08-0102-2301 Notice of Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 23-10
- 08-0102-2301 Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 23-6

08.01.13, Rules Governing the Opportunity Scholarship Program

- 08-0113-2401 Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 24-6

08-0113-2303 *Adoption of Temporary Rule, Bulletin Vol. 23-11 (eff. 11-1-23)T [expires sine die 2024]*

- 08-0113-2302 Adoption of Pending Rule, Bulletin Vol. 23-12 (PLR 2024)
- 08-0113-2302 Notice of Proposed Rulemaking, Bulletin Vol. 23-10
- 08-0113-2302 Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 23-7

08-0113-2301 *Adoption of Temporary Rule, Bulletin Vol. 23-7 (eff. 7-1-23)T [expires sine die 2024]*

08.01.15, Rules Governing the Firearms Safety Grant Program

- 08-0115-2401 Notice of Intent to Promulgate Rules (New Chapter) – Negotiated Rulemaking, Bulletin Vol. 24-6

08.02.01, Rules Governing Administration

- 08-0201-2301 *Adoption of Temporary Rule, Bulletin Vol. 23-6 (eff. 4-6-23)T [expires sine die 2024]*

08.02.02, Rules Governing Uniformity

- 08-0202-2401 Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 24-6

08.02.03, Rules Governing Thoroughness

- 08-0203-2401 Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 24-6

- 08-0203-2301 Adoption of Pending Rule, Bulletin Vol. 23-12 (PLR 2024)
- 08-0203-2301 Notice of Proposed Rulemaking, Bulletin Vol. 23-10
- 08-0203-2301 Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 23-6

08.02.04, Rules Governing Public Charter Schools

- 08-0204-2400 Notice of Revocation of Final Rule, Bulletin Vol. 24-3

08.04.01, Rules of the Idaho Digital Learning Academy

- 08-0401-2401 Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 24-6
- 08-0401-2301 Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 23-12 (PLR 2024)
- 08-0401-2301 Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 23-10
- 08-0401-2301 Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 23-6

IDA PA 11 – IDAHO STATE POLICE

Idaho State Brand Board

11.02.01, Rules of the Idaho State Brand Board

- 11-0201-2301 Adoption of Pending Rule (Fee Rule), Bulletin Vol. 23-12 (PLR 2024)
- 11-0201-2301 Notice of Proposed Rulemaking (Fee Rule), Bulletin Vol. 23-10
- 11-0201-2301 Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 23-7

Idaho State Racing Commission

11.04.01, Rules Governing the Idaho State Racing Commission

- 11-0401-2401** Adoption of Temporary Rule (New Chapter, Fee Rule), Bulletin Vol. 24-5 (eff. 4-24-24)T [*expires 7-1-24*]
- 11-0401-2301** Adoption of Pending Rule (New Chapter, Fee Rule), Bulletin Vol. 23-12 (PLR 2024)
- 11-0401-2301** Notice of Temporary and Proposed Rule (New Chapter, Fee Rule), Bulletin Vol. 23-5 (eff. 4-6-23)T [*temporary rule expires sine die 2024*]

Alcohol Beverage Control Bureau

11.05.01, Rules Governing Alcohol Beverage Control

- 11-0501-2401** Adoption of Temporary Rule, Bulletin Vol. 24-4 (eff. *sine die* 2024)T [*expires 7-1-24*]
- 11-0501-2301** Adoption of Temporary Rule, Bulletin Vol. 23-7 (eff. 7-1-23)T [*expires sine die 2024*]

Commercial Vehicle Safety Division

11.07.01, Rules Governing Motor Vehicles – General Rules

- 11-0701-2301** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 23-12 (PLR 2024)
- 11-0701-2301** Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 23-9
- 11-0701-2301** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 23-7

11.07.03, Rules Governing Emergency Vehicles/Authorized Emergency Vehicles

- 11-0703-2301** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 23-12 (PLR 2024)
- 11-0703-2301** Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 23-9
- 11-0703-2301** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 23-7

11.10.01, Rules Governing Idaho Public Safety and Security Information System

- 11-1001-2401** Adoption of Temporary (Fee) Rule, Bulletin Vol. 24-6 (eff. 4-24-24)T [*expires 7-1-24*]
- 11-1001-2301** Adoption of Pending Rule (Fee Rule), Bulletin Vol. 23-12 (PLR 2024)
- 11-1001-2301** Temporary and Proposed (Fee) Rule, Bulletin Vol. 23-9 (eff. 10-1-23)T [*temporary rule expires sine die 2024*]

11.13.01, The Motor Carrier Rules

- 11-1301-2301** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 23-12 (PLR 2024)
- 11-1301-2301** Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 23-9
- 11-1301-2301** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 23-7

IDAPA 12 – DEPARTMENT OF FINANCE

- 12-ZBRR-2301** *Rules of the Department of Finance* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 01, Chapters 04, 08, and 10 – Bulletin Vol. 23-8

12.01.04, Rules Pursuant to the Idaho Credit Union Act

- 12-0104-2301** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-1 (PLR 2024)
- 12-0104-2301** Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 23-10
- 12-ZBRR-2301** *Rules of the Department of Finance* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 01, Chapter 04 – Bulletin Vol. 23-8

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

- 12-0108-2301** Adoption of Pending Rule (ZBR Chapter Rewrite, Fee Rule), Bulletin Vol. 24-1 (PLR 2024)
- 12-0108-2301** Notice of Proposed Rulemaking (ZBR Chapter Rewrite, Fee Rule), Bulletin Vol. 23-10
- 12-ZBRR-2301** *Rules of the Department of Finance* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 01, Chapter 08 – Bulletin Vol. 23-8

12.01.10, Rules Pursuant to the Idaho Residential Mortgage Practices Act

- 12-0110-2301** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-1 (PLR 2024)

- 13-0110-2301 Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 23-10
13-ZBRR-2301 *Rules of the Department of Finance* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 01, Chapter 10 – Bulletin Vol. 23-8

IDAPA 13 – IDAHO FISH AND GAME COMMISSION

Establishing Seasons and Limits for Hunting, Fishing, and Trapping in Idaho

- 13-0000-2400P3 Notice of Adopted / Amended Proclamations for Calendar Year 2024, Bulletin Vol. 24-6
13-0000-2400P2 Notice of Adopted / Amended Proclamations for Calendar Year 2024, Bulletin Vol. 24-5
13-0000-2400P1 Notice of Adoption of Proclamation for Calendar Year 2024, Bulletin Vol. 24-2
- 13-0000-2300P9 Notice of Adopted / Amended Proclamations for Calendar Year 2023, Bulletin Vol. 24-1
13-0000-2300P8 Notice of Adopted / Amended Proclamations for Calendar Year 2023, Bulletin Vol. 23-11
13-0000-2300P7 Notice of Adopted / Amended Proclamations for Calendar Year 2023, Bulletin Vol. 23-9
13-0000-2300P6 Notice of Adopted / Amended Proclamations for Calendar Year 2023, Bulletin Vol. 23-7
13-0000-2300P5 Notice of Adopted / Amended Proclamations for Calendar Year 2023, Bulletin Vol. 23-6
13-0000-2300P4 Notice of Adopted / Amended Proclamations for Calendar Year 2023, Bulletin Vol. 23-5
13-0000-2300P3 Notice of Adopted / Amended Proclamations for Calendar Year 2023, Bulletin Vol. 23-4
13-0000-2300P2 Notice of Adopted / Amended Proclamations for Calendar Year 2023, Bulletin Vol. 23-3
13-0000-2300P1 Notice of Adoption of Proclamation for Calendar Year 2023, Bulletin Vol. 23-1

13.01.04, Rules Governing Licensing

- 13-0104-2401 Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-5
- 13-0104-2301 Adoption of Pending Rule, Bulletin Vol. 24-1 (PLR 2024)
13-0104-2301 Temporary and Proposed Rule, Bulletin Vol. 23-9 (eff. 7-27-23)T [*temporary rule expires sine die 2024*]

13.01.06, Rules Governing Classification and Protection of Wildlife

- 13-0106-2301 Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-1 (PLR 2024)
13-0106-2301 Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 23-10
13-0106-2301 Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 23-4

13.01.08, Rules Governing Taking of Big Game Animals

- 13-0108-2401 Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-5
- 13-0108-2301 Adoption of Pending Rule, Bulletin Vol. 24-1 (PLR 2024)
13-0108-2301 Notice of Proposed Rulemaking, Bulletin Vol. 23-10
13-0108-2301 Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 23-4

13.01.11, Rules Governing Fish

- 13-0111-2301 Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-1 (PLR 2024)
13-0111-2301 Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 23-10
13-0111-2301 Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 23-4

13.01.12, Rules Governing Commercial Fishing

- 13-0112-2301 Adoption of Pending Rule (ZBR Chapter Repeal), Bulletin Vol. 24-1 (PLR 2024)
13-0112-2301 Notice of Proposed Rulemaking (ZBR Chapter Repeal), Bulletin Vol. 23-10
13-0112-2301 Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 23-4

13.01.15, Rules Governing the Use of Dogs

- 13-0115-2301 Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-1 (PLR 2024)
13-0115-2301 Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 23-10
13-0115-2301 Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 23-4

13.01.16, Trapping of Wildlife and Taking of Furbearing Animals

- 13-0116-2401 Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-5

13.01.17, Rules Governing Use of Bait for Hunting Big Game Animals

- 13-0117-2401 Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-5

IDAPA 15 – OFFICE OF THE GOVERNOR

Executive Orders of the Governor

- Executive Order No. **2024-04** Operation Esto Perpetua, Bulletin Vol. 24-5
Executive Order No. **2024-03** Continuing the Juvenile Justice Commission, Bulletin Vol. 24-5
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- Executive Order No. **2023-03** Idaho Outdoor Recreation Fund Advisory Council, Bulletin Vol. 23-9
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Division of Human Resources and Personnel Commission

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

- 15-0401-2301** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 23-12 (PLR 2024)
15-0401-2301 Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 23-10
15-0401-2301 Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 23-8

Idaho State Liquor Division

15.10.01, Rules of the Idaho State Liquor Division

- 15-1001-2301** Adoption of Pending Rule (ZBR Chapter Rewrite, Fee Rule), Bulletin Vol. 24-1 (PLR 2024)
15-1001-2301 Notice of Proposed Rulemaking (ZBR Chapter Rewrite, Fee Rule), Bulletin Vol. 23-10

IDAPA 16 – DEPARTMENT OF HEALTH AND WELFARE

16.01.02, Emergency Medical Services (EMS) – Rule Definitions

- 16-0102-2301** Adoption of Pending Rule, Bulletin Vol. 24-1 (PLR 2024)
16-0102-2301 Notice of Proposed Rulemaking, Bulletin Vol. 23-8

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

- 16-0103-2301** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-1 (PLR 2024)
16-0103-2301 Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 23-8
16-0103-2301 Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 23-4

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

- 16-0107-2401** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-4

16.02.02, Idaho Emergency Medical Services (EMS) Physician Commission

- 16-0202-2301** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-1 (PLR 2024)
16-0202-2301 Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 23-9
16-0202-2301 Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 23-5

16.02.06, Quality Assurance for Idaho Clinical Laboratories

- 16-0206-2301*** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-1 (PLR 2024)
*Changes chapter name from: "Quality Assurance for Idaho Clinical Laboratories"
16-0206-2301* Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 23-8
16-0206-2301 (Second) Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 23-4
16-0206-2301 Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 23-3

16.02.13, State of Idaho Drinking Water Laboratory Certification Program

- 16-0213-2401** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-5

16.02.24, Clandestine Drug Laboratory Cleanup

- 16-0224-2301 Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 23-12 (PLR 2024)
- 16-0224-2301 Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 23-8
- 16-0224-2301 Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 23-4

16.02.25, State Laboratory Fees

- 16-0225-2301 Adoption of Pending Rule (Fee Rule), Bulletin Vol. 23-12 (PLR 2024)
- 16-0225-2301 Notice of Proposed (Fee) Rule, Bulletin Vol. 23-7

16.03.01, Eligibility for Health Care Assistance for Families and Children

- 16-0301-2301 Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 23-12 (PLR 2024)
- 16-0301-2301 Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 23-9
- 16-0301-2301 Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 23-4

16.03.02, Skilled Nursing Facilities

- 16-0302-2301 Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-1 (PLR 2024)
- 16-0302-2301 Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 23-9
- 16-0302-2301 Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 23-5

16.03.04, Idaho Food Stamp Program

- 16-0304-2301 Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-1 (PLR 2024)
- 16-0304-2301 Notice of Public Hearing and Extension of Written Comment Period, Bulletin Vol. 23-10
- 16-0304-2301 Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 23-9

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

- 16-0305-2301 Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-1 (PLR 2024)
- 16-0305-2301 Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 23-10
- 16-0305-2301 Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 23-4

16.03.06, Refugee Medical Assistance

- 16-0306-2301 Adoption of Pending Rule, Bulletin Vol. 23-12 (PLR 2024)
- 16-0306-2301 Notice of Proposed Rulemaking, Bulletin Vol. 23-9

16.03.09, Medicaid Basic Plan Benefits

- 16-0309-2401 Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-5
- 16-0309-2301 Adoption of Pending Rule, Bulletin Vol. 23-12 (PLR 2024)
- 16-0309-2301 Notice of Temporary and Proposed Rule, Bulletin Vol. 23-7 (eff. 7-1-23)T [*temporary rule expires sine die 2024*]

16.03.10, Medicaid Enhanced Plan Benefits

- 16-0310-2101 Adoption of Pending Rule, Bulletin Vol. 24-1 (PLR 2024)
- 16-0310-2101 Notice of Temporary and Proposed Rule, Bulletin Vol. 23-10 (eff. 9-1-23)T [*temporary rule expires sine die 2024*]
- 16-0310-2101 Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 21-11

16.03.11, Intermediate Care Facilities for People with Intellectual Disabilities (ICFs/IID)

- 16-0311-2401 Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-5

16.03.13, Consumer-Directed Services

- 16-0313-2401 Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-5
- 16-0313-2101 Adoption of Pending Rule, Bulletin Vol. 24-1 (PLR 2024)
- 16-0313-2101 Notice of Temporary and Proposed Rule, Bulletin Vol. 23-10 (eff. 9-1-23)T [*temporary rule expires sine die 2024*]
- 16-0313-2101 Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 21-11

16.03.14, Hospitals

- 16-0314-2401 Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-5
- 16-0314-2301 Adoption of Temporary Rule, Bulletin Vol. 23-12 (eff. 11-14-23)T

16.03.18, Medicaid Cost-Sharing

- 16-0318-2301 Adoption of Pending Rule (ZBR Chapter Rewrite, Fee Rule), Bulletin Vol. 24-1 (PLR 2024)

- 16-0318-2301 Notice of Proposed Rulemaking (ZBR Chapter Rewrite, Fee Rule), Bulletin Vol. 23-10
16-0318-2301 Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 23-5

16.03.22, Residential Assisted Living Facilities

- 16-0322-2301 Adoption of Pending Rule, Bulletin Vol. 24-1 (PLR 2024)
16-0322-2301 Notice of Proposed Rule, Bulletin Vol. 23-7
16-0322-2301 Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 23-3

16.04.18, Children’s Agencies and Residential Licensing

- 16-0418-2301 Adoption of Pending Rule, Bulletin Vol. 24-1 (PLR 2024)
16-0418-2301 Notice of Temporary and Proposed Rule, Bulletin Vol. 23-5 (eff. 4-6-23)T [*temporary rule expires sine die 2024*]

16.05.03, Contested Cases Proceedings and Declaratory Rulings

- 16-0503-2301 *Vacation of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-3*
16-0503-2301 *Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-1 (PLR 2024)*
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16-0503-2301 *(2nd) Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 23-3*
16-0503-2301 *Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 23-2*

(MOVED AND REDESIGNATED) 16.05.04, Domestic Violence Council Grants

- 16-0504-2400 **IDAPA 16.05 – IDAHO COUNCIL ON DOMESTIC VIOLENCE AND VICTIM ASSISTANCE –**
Notice of Assignment of New IDAPA Designation Number – Redesignated from **IDAPA 16, Title 05, Chapter 04** to
IDAPA 63, Title 05, Chapter 04 – Bulletin Vol. 24-6 (eff. 7-1-24)

16.06.01, Child and Family Services

- 16-0601-2402 Notice of Temporary and Proposed Rule, Bulletin Vol. 24-6 (eff. 4-17-24)T

16-0601-2401 Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-4

16-0601-2301 Adoption of Pending Rule, Bulletin Vol. 24-1 (PLR 2024)
16-0601-2301 Notice of Temporary and Proposed Rule, Bulletin Vol. 23-7 (eff. 8-1-23)T [*temporary rule expires sine die 2024*]

16.06.02, Child Care and Foster Care Licensing

- 16-0602-2301* Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-1 (PLR 2024)
**Changes chapter name from: “Child Care and Foster Care Licensing”*
16-0602-2301* Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 23-8

16.06.03, Daycare Licensing

- 16-0603-2301 Adoption of Pending Rule (New Chapter, Fee Rule), Bulletin Vol. 24-1 (PLR 2024)
16-0603-2301 Notice of Proposed Rulemaking (New Chapter, Fee Rule), Bulletin Vol. 23-8

16.07.19, Certification of Peer Support Specialists and Family Support Partners

- 16-0719-2301* Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 23-12 (PLR 2024)
**Changes chapter name from: “Certification of Peer Support Specialists and Family Support Partners”*
16-0719-2301 Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 23-8
16-0719-2301 Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 23-2

16.07.25, Prevention of Minors’ Access to Tobacco Products

- 16-0725-2301* Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 23-12 (PLR 2024)
**Changes chapter name from: “Prevention of Minors’ Access to Tobacco Products”*
16-0725-2301* Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 23-8
16-0725-2301 Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 23-3

16.07.37, Children’s Mental Health Services

- 16-0737-2401 (Second) Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-3
16-0737-2401 Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-2

16.07.39, Designated Examiners and Dispositioners

- 16-0739-2301 Adoption of Pending Rule, Bulletin Vol. 24-1 (PLR 2024)
16-0739-2301 Notice of Proposed Rulemaking, Bulletin Vol. 23-10

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17.01.01, Administrative Rules Under the Worker's Compensation Law

- 17-0101-2301** (Second) Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-5
- 17-0101-2301** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 23-11

17.10.01, Administrative Rules Under the Crime Victims Compensation Act

- 17-1001-2301** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 23-11 (PLR 2024)
- 17-1001-2301** Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 23-9
- 17-1001-2301** (Second) Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 23-6
- 17-1001-2301** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 23-5

IDAPA 18 – DEPARTMENT OF INSURANCE

- 18-ZBRR-2301** *Rules of the Idaho Department of Insurance* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 01, Chapter 02; Title 04, Chapters 04, 08; Title 06, Chapters 01-03; Title 07, Chapters 06, 10; and Title 08, Chapter 01 – Bulletin Vol. 23-6

18.01.02, Schedule of Fees, Licenses, and Miscellaneous Charges

- 18-0102-2301** Adoption of Pending Rule (ZBR Chapter Rewrite, Fee Rule), Bulletin Vol. 23-12 (PLR 2024)
- 18-0102-2301** Notice of Proposed Rulemaking (ZBR Chapter Rewrite, Fee Rule), Bulletin Vol. 23-9
- 18-ZBRR-2301** *Rules of the Idaho Department of Insurance* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 01, Chapter 02 – Bulletin Vol. 23-6

18.04.04, The Managed Care Reform Act Rule

- 18-0404-2301** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 23-12 (PLR 2024)
- 18-0404-2301** Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 23-9
- 18-ZBRR-2301** *Rules of the Idaho Department of Insurance* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 04, Chapter 04 – Bulletin Vol. 23-6

18.04.08, Individual and Group Supplemental Disability Insurance Minimum Standards Rule

- 18-0408-2301** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 23-12 (PLR 2024)
- 18-0408-2301** Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 23-9
- 18-ZBRR-2301** *Rules of the Idaho Department of Insurance* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 04, Chapter 08 – Bulletin Vol. 23-6

18.06.01, Rules Pertaining to Bail Agents

- 18-0601-2301** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 23-12 (PLR 2024)
- 18-0601-2301** Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 23-9
- 18-ZBRR-2301** *Rules of the Idaho Department of Insurance* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 06, Chapter 01 – Bulletin Vol. 23-6

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- 18-0602-2301** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 23-12 (PLR 2024)
- 18-0602-2301** Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 23-9
- 18-ZBRR-2301** *Rules of the Idaho Department of Insurance* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 06, Chapter 02 – Bulletin Vol. 23-6

18.06.03, Rules Governing Disclosure Requirements for Insurance Producers When Charging Fees

- 18-0603-2301** Adoption of Pending Rule (ZBR Chapter Repeal), Bulletin Vol. 23-12 (PLR 2024)
- 18-0603-2301** Notice of Proposed Rulemaking (ZBR Chapter Repeal), Bulletin Vol. 23-9
- 18-ZBRR-2301** *Rules of the Idaho Department of Insurance* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 06, Chapter 03 – Bulletin Vol. 23-6

18.07.06, Rules Governing Life and Health Reinsurance Agreements

- 18-0706-2301*** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 23-12 (PLR 2024)
*Changes chapter name from: “Rules Governing Life and Health Reinsurance Agreements”
- 18-0706-2301*** Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 23-9
- 18-ZBRR-2301** *Rules of the Idaho Department of Insurance* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 07, Chapter 06 – Bulletin Vol. 23-6

18.07.10, Corporate Governance Annual Disclosure

- 18-0710-2301 Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 23-12 (PLR 2024)
- 18-0710-2301 Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 23-9
- 18-ZBRR-2301 **Rules of the Idaho Department of Insurance** – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 07, Chapter 10 – Bulletin Vol. 23-6

18.08.01, Adoption of the International Fire Code

- 18-0801-2301 Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 23-12 (PLR 2024)
- 18-0801-2301 Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 23-9
- 18-ZBRR-2301 **Rules of the Idaho Department of Insurance** – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 08, Chapter 01 – Bulletin Vol. 23-6

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- 20-0101-2301 Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-1 (PLR 2024)
- 20-0101-2301 Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 23-8
- 20-0101-2301 Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 23-5

20.03.01, Rules Governing Dredge and Placer Mining Operations in Idaho

- 20-0301-2301 Adoption of Pending Rule (ZBR Chapter Rewrite, Fee Rule), Bulletin Vol. 24-1 (PLR 2024)
- 20-0301-2301 Notice of Proposed Rulemaking (ZBR Chapter Rewrite, Fee Rule), Bulletin Vol. 23-9
- 20-0301-2301 Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 23-4

20.03.02, Rules Governing Mined Land Reclamation

- 20-0302-2401 Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-4

20.03.03, Rules Governing Administration of the Reclamation Fund

- 20-0303-2301 Adoption of Pending Rule (ZBR Chapter Rewrite, Fee Rule), Bulletin Vol. 24-1 (PLR 2024)
- 20-0303-2301 Notice of Proposed Rulemaking (ZBR Chapter Rewrite, Fee Rule), Bulletin Vol. 23-9
- 20-0303-2301 Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 23-4

20.03.04, Rules Governing the Regulation of Beds, Waters, and Airspace Over Navigable Lakes in the State of Idaho

- 20-0304-2401 Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-4

20.03.05, Riverbed Mineral Leasing in Idaho

- 20-0305-2301* Adoption of Pending Rule (ZBR Chapter Rewrite, Fee Rule), Bulletin Vol. 24-1 (PLR 2024)
*Changes chapter name from: “Riverbed Mineral Leasing in Idaho”
- 20-0305-2301* Notice of Proposed Rulemaking (ZBR Chapter Rewrite, Fee Rule), Bulletin Vol. 23-9
- 20-0305-2301 Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 23-4

20.03.13, Administration of Cottage Site Leases on State Lands

- 20-0313-2401 Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-3

20.03.14, Rules Governing Grazing, Farming, Conservation, Noncommercial Recreation, and Communication Site Leases

- 20-0314-2401 Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-3

20.03.15, Rules Governing Geothermal Leasing on Idaho State Lands

- 20-0315-2401 Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-3

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

- 20-0316-2401 Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-3

20.04.01, Rules Pertaining to Forest Fire Protection

- 20-0401-2301 Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 23-10

20.04.02, Rules Pertaining to the Idaho Forestry Act and Fire Hazard Reduction Laws

- 20-0402-2301 Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 23-10

20.05.01, Rules Pertaining to the Recreational Use of Endowment Land

- 20-0501-2301** Adoption of Pending Rule (New Chapter), Bulletin Vol. 24-1 (PLR 2024)
20-0501-2301 Notice of Proposed Rulemaking (New Chapter), Bulletin Vol. 23-10
20-0501-2301 Notice of Intent to Promulgate Rules (New Chapter) – Negotiated Rulemaking, Bulletin Vol. 23-6

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

- 20-0702-2401** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-4

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- 21-0104-2402** Notice of Proposed Rulemaking (Fee Rule), Bulletin Vol. 24-6
- 21-0104-2401** Adoption of Temporary Rule (Fee Rule), Bulletin Vol. 24-5 (eff. 4-10-24)T
- 21-0104-2301** Adoption of Pending Rule, Bulletin Vol. 23-11 (PLR 2024)
21-0104-2301 Notice of Temporary and Proposed Rule, Bulletin Vol. 23-3 (eff. 3-1-23)T [*temporary rule expires sine die 2024*]

IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES

- 24-ZBRR-2401** *Rules of the Division of Occupational and Professional Licenses* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 02, Chapter 01; Title 03, Chapter 01; Title 08, Chapter 01; Title 09, Chapter 01; Title 19, Chapter 01; Title 24, Chapter 01; Title 29, Chapter 01; Title 33, Chapters 01-07; and Title 36, Chapter 01 – Bulletin Vol. 24-4

- 24-ZBRR-2301** *Rules of the Division of Occupational and Professional Licenses* – (Second) Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 01, Chapter 01; Title 05, Chapter 01; Title 06, Chapter 01; Title 07, Chapter 01; Title 11, Chapter 01; Title 13, Chapter 01; Title 14, Chapter 01; Title 15, Chapter 01; Title 16, Chapter 01; Title 18, Chapter 01; Title 27, Chapter 01; Title 28, Chapter 01; Title 31, Chapter 01; Title 38, Chapter 01; and Title 39, Chapters 30, 31, 50 – Bulletin Vol. 23-6

- 24-ZBRR-2301** *Rules of the Division of Occupational and Professional Licenses* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 01, Chapter 01; Title 05, Chapter 01; Title 06, Chapter 01; Title 07, Chapter 01; Title 11, Chapter 01; Title 13, Chapter 01; Title 14, Chapter 01; Title 15, Chapter 01; Title 16, Chapter 01; Title 18, Chapter 01; Title 27, Chapter 01; Title 28, Chapter 01; Title 31, Chapter 01; Title 38, Chapter 01; and Title 39, Chapters 30, 31, 50 – Bulletin Vol. 23-4

24.01.01, Rules of the Board of Architects and Landscape Architects

- 24-0101-2301*** Adoption of Pending Rule (ZBR Chapter Rewrite, Fee Rule), Bulletin Vol. 23-11 (PLR 2024)
**Changes chapter name from: “Rules of the Board of Architectural Examiners”*
- 24-0101-2301*** Notice of Proposed Rulemaking (ZBR Chapter Rewrite, Fee Rule), Bulletin Vol. 23-8
- 24-ZBRR-2301** *Rules of the Division of Occupational and Professional Licenses* – (Second) Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 01, Chapter 01 – Bulletin Vol. 23-6
- 24-ZBRR-2301** *Rules of the Division of Occupational and Professional Licenses* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 01, Chapter 01 – Bulletin Vol. 23-4

24.02.01, Rules of the State Athletic Commission

- 24-0201-2401** Adoption of Temporary Rule (New Chapter, Fee Rule), Bulletin Vol. 24-6 (eff. 6-1-24)T
- 24-ZBRR-2401** *Rules of the Division of Occupational and Professional Licenses* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 02, Chapter 01 – Bulletin Vol. 24-4

24.03.01, Rules of the State Board of Chiropractic Physicians

- 24-ZBRR-2401** *Rules of the Division of Occupational and Professional Licenses* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 03, Chapter 01 – Bulletin Vol. 24-4

24.04.01, Rules of Procedure of the Board of Registration for Professionals Geologists

- 24-0401-2401** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-6

24.05.01, Rules of the Board of Drinking Water and Wastewater Professionals

- 24-0501-2301** Adoption of Pending Rule (ZBR Chapter Rewrite, Fee Rule), Bulletin Vol. 23-12 (PLR 2024)
24-0501-2301 Notice of Proposed Rulemaking (ZBR Chapter Rewrite, Fee Rule), Bulletin Vol. 23-8

24-ZBRR-2301 *Rules of the Division of Occupational and Professional Licenses* – (Second) Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 05, Chapter 01 – Bulletin Vol. 23-6

24-ZBRR-2301 *Rules of the Division of Occupational and Professional Licenses* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 05, Chapter 01 – Bulletin Vol. 23-4

24.06.01, Rules for the Licensure of Occupational Therapists and Occupational Therapy Assistants

24-0601-2301 Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 23-11 (PLR 2024)

24-0601-2301 Notice of Proposed Rulemaking (ZBR Chapter Rewrite, Fee Rule), Bulletin Vol. 23-8

24-ZBRR-2301 *Rules of the Division of Occupational and Professional Licenses* – (Second) Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 06, Chapter 01 – Bulletin Vol. 23-6

24-ZBRR-2301 *Rules of the Division of Occupational and Professional Licenses* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 06, Chapter 01 – Bulletin Vol. 23-4

24.07.01, Rules of the Idaho State Board of Landscape Architects

24-0701-2301 Adoption of Pending Rule (ZBR Chapter Repeal), Bulletin Vol. 23-12 (PLR 2024)

24-0701-2301 Notice of Proposed Rulemaking (ZBR Chapter Repeal), Bulletin Vol. 23-9

24-ZBRR-2301 *Rules of the Division of Occupational and Professional Licenses* – (Second) Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 07, Chapter 01 – Bulletin Vol. 23-6

24-ZBRR-2301 *Rules of the Division of Occupational and Professional Licenses* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 07, Chapter 01 – Bulletin Vol. 23-4

24.08.01, Rules of the State Board of Morticians

24-ZBRR-2401 *Rules of the Division of Occupational and Professional Licenses* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 08, Chapter 01 – Bulletin Vol. 24-4

24.09.01, Rules of the Board of Examiners of Nursing Home Administrators

24-ZBRR-2401 *Rules of the Division of Occupational and Professional Licenses* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 09, Chapter 01 – Bulletin Vol. 24-4

24.11.01, Rules of the State Board of Podiatry

24-1101-2301 Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 23-11 (PLR 2024)

24-1101-2301 Notice of Proposed Rulemaking (ZBR Chapter Rewrite, Fee Rule), Bulletin Vol. 23-8

24-ZBRR-2301 *Rules of the Division of Occupational and Professional Licenses* – (Second) Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 11, Chapter 01 – Bulletin Vol. 23-6

24-ZBRR-2301 *Rules of the Division of Occupational and Professional Licenses* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 11, Chapter 01 – Bulletin Vol. 23-4

24.13.01, Rules Governing the Physical Therapy Licensure Board

24-1301-2301 Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 23-11 (PLR 2024)

24-1301-2301 Notice of Proposed Rulemaking (ZBR Chapter Rewrite, Fee Rule), Bulletin Vol. 23-8

24-ZBRR-2301 *Rules of the Division of Occupational and Professional Licenses* – (Second) Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 13, Chapter 01 – Bulletin Vol. 23-6

24-ZBRR-2301 *Rules of the Division of Occupational and Professional Licenses* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 13, Chapter 01 – Bulletin Vol. 23-4

24.14.01, Rules of the State Board of Social Work Examiners

24-1401-2301 Adoption of Pending Rule (ZBR Chapter Rewrite, Fee Rule), Bulletin Vol. 23-12 (PLR 2024)

24-1401-2301 Notice of Proposed Rulemaking (ZBR Chapter Rewrite, Fee Rule), Bulletin Vol. 23-9

24-ZBRR-2301 *Rules of the Division of Occupational and Professional Licenses* – (Second) Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 14, Chapter 01 – Bulletin Vol. 23-6

24-ZBRR-2301 *Rules of the Division of Occupational and Professional Licenses* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 14, Chapter 01 – Bulletin Vol. 23-4

24.15.01, Rules of the Idaho Licensing Board of Professional Counselors and Marriage and Family Therapists

24-1501-2301 Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 23-11 (PLR 2024)

24-1501-2301 Notice of Proposed Rulemaking (ZBR Chapter Rewrite, Fee Rule), Bulletin Vol. 23-8

24-ZBRR-2301 *Rules of the Division of Occupational and Professional Licenses* – (Second) Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 15, Chapter 01 – Bulletin Vol. 23-6

24-ZBRR-2301 *Rules of the Division of Occupational and Professional Licenses* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 15, Chapter 01 – Bulletin Vol. 23-4

24.16.01, Rules of the State Board of Dentistry

- 24-1601-2301** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 23-11 (PLR 2024)
24-1601-2301 Notice of Proposed Rulemaking (ZBR Chapter Rewrite, Fee Rule), Bulletin Vol. 23-8
24-ZBRR-2301 *Rules of the Division of Occupational and Professional Licenses* – (Second) Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 16, Chapter 01 – Bulletin Vol. 23-6
24-ZBRR-2301 *Rules of the Division of Occupational and Professional Licenses* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 16, Chapter 01 – Bulletin Vol. 23-4

24.18.01, Rules of the Real Estate Appraiser Board

- 24-1801-2301** Adoption of Pending Rule (ZBR Chapter Rewrite, Fee Rule), Bulletin Vol. 23-12 (PLR 2024)
24-1801-2301 Notice of Proposed Rulemaking (ZBR Chapter Rewrite, Fee Rule), Bulletin Vol. 23-10
24-ZBRR-2301 *Rules of the Division of Occupational and Professional Licenses* – (Second) Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 18, Chapter 01 – Bulletin Vol. 23-6
24-ZBRR-2301 *Rules of the Division of Occupational and Professional Licenses* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 18, Chapter 01 – Bulletin Vol. 23-4

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

- 24-ZBRR-2401** *Rules of the Division of Occupational and Professional Licenses* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 19, Chapter 01 – Bulletin Vol. 24-4

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- 24-2101-2401** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-6

24.24.01, Rules of the Genetic Counselors Licensing Board

- 24-ZBRR-2401** *Rules of the Division of Occupational and Professional Licenses* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 24, Chapter 01 – Bulletin Vol. 24-4

24.27.01, Rules of the Idaho State Board of Massage Therapy

- 24-2701-2301** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 23-11 (PLR 2024)
24-2701-2301 Notice of Proposed Rulemaking (ZBR Chapter Rewrite, Fee Rule), Bulletin Vol. 23-8
24-ZBRR-2301 *Rules of the Division of Occupational and Professional Licenses* – (Second) Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 27, Chapter 01 – Bulletin Vol. 23-6
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- 24-2801-2301** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 23-11 (PLR 2024)
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24-ZBRR-2301 *Rules of the Division of Occupational and Professional Licenses* – (Second) Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 28, Chapter 01 – Bulletin Vol. 23-6
24-ZBRR-2301 *Rules of the Division of Occupational and Professional Licenses* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 28, Chapter 01 – Bulletin Vol. 23-4

24.29.01, Rules of Procedure of the Idaho Certified Shorthand Reporters Board

- 24-ZBRR-2401** *Rules of the Division of Occupational and Professional Licenses* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 29, Chapter 01 – Bulletin Vol. 24-4

24.30.01, Idaho Accountancy Rules

- 24-3001-2401** Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 24-6

24.31.01, Rules of the Idaho State Board of Dentistry

- 24-3101-2301** Adoption of Pending Rule (ZBR Chapter Rewrite, Fee Rule), Bulletin Vol. 23-12 (PLR 2024)
24-3101-2301 Notice of Proposed Rulemaking (ZBR Chapter Rewrite, Fee Rule), Bulletin Vol. 23-9
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24-ZBRR-2301 *Rules of the Division of Occupational and Professional Licenses* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 31, Chapter 01 – Bulletin Vol. 23-4

24.32.01, Rules of the Idaho Board of Licensure of Professional Engineers and Professional Land Surveyors

- 24-3201-2401** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-6

24.33.01, Rules of the Board of Medicine for the Licensure to Practice Medicine & Osteopathic Medicine in Idaho

24-ZBRR-2401 *Rules of the Division of Occupational and Professional Licenses* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 33, Chapter 01 – Bulletin Vol. 24-4

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24-ZBRR-2401 *Rules of the Division of Occupational and Professional Licenses* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 33, Chapter 02 – Bulletin Vol. 24-4

24.33.03, General Provisions of the Board of Medicine

24-ZBRR-2401 *Rules of the Division of Occupational and Professional Licenses* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 33, Chapter 03 – Bulletin Vol. 24-4

24.33.04, Rules for the Licensure of Naturopathic Medical Doctors

24-ZBRR-2401 *Rules of the Division of Occupational and Professional Licenses* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 33, Chapter 04 – Bulletin Vol. 24-4

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24-ZBRR-2401 *Rules of the Division of Occupational and Professional Licenses* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 33, Chapter 05 – Bulletin Vol. 24-4

24.33.06, Rules for Licensure of Respiratory Therapists and Permitting of Polysomnographers in Idaho

24-ZBRR-2401 *Rules of the Division of Occupational and Professional Licenses* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 33, Chapter 06 – Bulletin Vol. 24-4

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24-ZBRR-2401 *Rules of the Division of Occupational and Professional Licenses* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 33, Chapter 07 – Bulletin Vol. 24-4

24.35.01, Rules of the Outfitters and Guides Licensing Board

24-3501-2401 Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 24-6

24-3501-2301 Adoption of Pending Rule, Bulletin Vol. 23-12 (PLR 2024)

24-3501-2301 Notice of Proposed Rulemaking, Bulletin Vol. 23-9

24-3501-2301 Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 23-7

24.36.01, Rules of the Idaho State Board of Pharmacy

24-ZBRR-2401 *Rules of the Division of Occupational and Professional Licenses* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 36, Chapter 01 – Bulletin Vol. 24-4

24-3601-2401 Adoption of Temporary Rule, Bulletin Vol. 24-4 (eff. 7-1-24)T

24-3601-2301 Adoption of Pending Rule, Bulletin Vol. 24-1 (PLR 2024)

24-3601-2301 Notice of Proposed Rulemaking, Bulletin Vol. 23-12

24.37.01, Rules of the Idaho Real Estate Commission

24-3701-2401 Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-6

24.38.01, Rules of the State of Idaho Board of Veterinary Medicine

24-3801-2301 Adoption of Pending Rule (ZBR Chapter Rewrite, Fee Rule), Bulletin Vol. 23-12 (PLR 2024)

24-3801-2301 Notice of Proposed Rulemaking (ZBR Chapter Rewrite, Fee Rule), Bulletin Vol. 23-9

24-ZBRR-2301 *Rules of the Division of Occupational and Professional Licenses* – (Second) Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 38, Chapter 01 – Bulletin Vol. 23-6

24-ZBRR-2301 *Rules of the Division of Occupational and Professional Licenses* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 38, Chapter 01 – Bulletin Vol. 23-4

24.39.10, Rules of the Idaho Electrical Board

24-3910-2401 Adoption of Temporary Rule, Bulletin Vol. 24-5 (eff. 4-19-24)T

24-3910-2302 Adoption of Pending Rule, Bulletin Vol. 23-12 (PLR 2024)

- 24-3910-2302 Notice of Proposed Rulemaking (Fee Rule), Bulletin Vol. 23-10
 24-3910-2302 Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 23-6

- 24-3910-2301 Adoption of Temporary Rule, Bulletin Vol. 23-5 (eff. 3-28-23)T [*expires sine die 2024*]

24.39.30, Rules of Building Safety (Building Code Rules)

- 24-3930-2401 Adoption of Temporary Rule (New Chapter, Fee Rule), Bulletin Vol. 24-5 (eff. 4-23-24)T [*expires 7-1-24*]

- 24-3930-2302 Adoption of Pending Rule (ZBR Chapter Rewrite, Fee Rule), Bulletin Vol. 23-12 (PLR 2024)
 24-3930-2302 Notice of Proposed Rulemaking (ZBR Chapter Rewrite, Fee Rule), Bulletin Vol. 23-9
 24-3930-2302 Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 23-6
 24-ZBRR-2301 *Rules of the Division of Occupational and Professional Licenses* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 39, Chapter 30 – Bulletin Vol. 23-4

- 24-3930-2301 Notice of Rulemaking – Adoption of Temporary (Fee) Rule, Bulletin Vol. 23-4 (eff. *sine die* 2023)T [*expires sine die 2024*]

24.39.31, Rules for Factory Built Structures

- 24-3931-2301 Adoption of Pending Rule (ZBR Chapter Rewrite, Fee Rule), Bulletin Vol. 23-12 (PLR 2024)
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 24-ZBRR-2301 *Rules of the Division of Occupational and Professional Licenses* – (Second) Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 39, Chapter 31 – Bulletin Vol. 23-6
 24-ZBRR-2301 *Rules of the Division of Occupational and Professional Licenses* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 39, Chapter 31 – Bulletin Vol. 23-4

24.39.50, Rules of the Public Works Contractors License Board

- 24-3950-2301 Adoption of Pending Rule (ZBR Chapter Rewrite, Fee Rule), Bulletin Vol. 23-12 (PLR 2024)
 24-3950-2301 Notice of Proposed Rulemaking (ZBR Chapter Rewrite, Fee Rule), Bulletin Vol. 23-9
 24-ZBRR-2301 *Rules of the Division of Occupational and Professional Licenses* – (Second) Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 39, Chapter 50 – Bulletin Vol. 23-6
 24-ZBRR-2301 *Rules of the Division of Occupational and Professional Licenses* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 39, Chapter 50 – Bulletin Vol. 23-4

24.39.90, Rules Governing the Damage Prevention Board

- 24-3990-2401 Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-6

24.40.01, Rules for the Board of Naturopathic Health Care

- 24-4001-2301 Adoption of Pending Rule (New Chapter), Bulletin Vol. 23-11 (PLR 2024)
 24-4001-2301 Notice of Proposed Rulemaking (New Chapter, Fee Rule), Bulletin Vol. 23-9
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26.01.34, Idaho Protection Against Invasive Species Sticker Rules

- 26-0134-2201 Adoption of Pending Rule (ZBR Chapter Repeal), Bulletin Vol. 23-12 (PLR 2024)
 26-0134-2201 Temporary and Proposed Rulemaking (ZBR Chapter Repeal), Bulletin Vol. 23-8 (eff. 8-30-23)T [*temporary rule expires sine die 2024*]
 26-0134-2201 Notice of Intent to Promulgate Rules – Zero-Based Regulation Negotiated Rulemaking, Bulletin Vol. 22-4

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- 29-0101-2301** Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 23-9
- 29-0101-2301** (Second) Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 23-5
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31.12.01, System of Accounts for Public Utilities Regulated by the Idaho Public Utilities Commission

- 31-1201-2301** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 23-12 (PLR 2024)
- 31-1201-2301** Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 23-10
- 31-ZBRR-2301** *Rules of the Idaho Public Utilities Commission* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 12, Chapter 01 – Bulletin Vol. 23-6

31.21.01, Customer Relations Rules for Gas, Electric & Water Public Utilities (The Utility Customer Relations Rules)

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- 31-ZBRR-2301** *Rules of the Idaho Public Utilities Commission* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 26, Chapter 01 – Bulletin Vol. 23-6

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- 31-ZBRR-2301** *Rules of the Idaho Public Utilities Commission* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 31, Chapter 01 – Bulletin Vol. 23-6

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- 35-0102-2301** Notice of Proposed Rulemaking, Bulletin Vol. 23-11

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35-0103-2301 Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 23-12 (PLR 2024)

35-0103-2301 Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 23-9

35-0103-2301 Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 23-4

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35-0105-2401 Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-4

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39-ZBRR-2303 Rules of the Idaho Transportation Department – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 02, Chapter 22; and Title 03, Chapters 01-07 – Bulletin Vol. 23-7

39-ZBRR-2302 Rules of the Idaho Transportation Department – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 03, Chapters 40, 42, 48, 50; & Title 04, Chapter 01 – Bulletin Vol. 23-6

39-ZBRR-2301 Rules of the Idaho Transportation Department – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 02, Chapters 04, 42, 46, 60; & Title 03, Chapter 08 – Bulletin Vol. 23-5

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39.02.04, Rules Governing Manufacturer and New Vehicle Dealer Hearing Fees

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39-0204-2301 Notice of Proposed Rulemaking (ZBR Chapter Repeal), Bulletin Vol. 23-10
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39.02.22, Rules Governing Registration and Permit Fee Administration and Temporary Vehicle Clearance for Carriers

- 39-0222-2301 Adoption of Pending Rule, Bulletin Vol. 23-12 (PLR 2024)
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39-ZBRR-2303 **Rules of the Idaho Transportation Department** – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 02, Chapter 22 – Bulletin Vol. 23-7

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39-0242-2301 Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 23-10
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39.02.46, Rules Governing Temporary Motor Vehicle Registration Permit

- 39-0246-2301 Adoption of Pending Rule (ZBR Chapter Repeal), Bulletin Vol. 23-12 (PLR 2024)
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39-ZBRR-2301 **Rules of the Idaho Transportation Department** – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 02, Chapter 46 – Bulletin Vol. 23-5

39.02.60, Rules Governing License Plate Provisions

- 39-0260-2301 Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 23-12 (PLR 2024)
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39-ZBRR-2301 **Rules of the Idaho Transportation Department** – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 02, Chapter 60 – Bulletin Vol. 23-5

39.02.72, Rules Governing Administrative License Suspensions

- 39-ZBRR-2401 **Rules of the Idaho Transportation Department** – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 02, Chapter 72 – Bulletin Vol. 24-5

39.02.75, Rules Governing Names on Driver's Licenses and Identification Cards

- 39-ZBRR-2401 **Rules of the Idaho Transportation Department** – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 02, Chapter 75 – Bulletin Vol. 24-5

39.02.76, Rules Governing Driver's License and Identification Card Renewal-by-Mail and Electronic Renewal and Replacement Processes

- 39-0276-2301 Adoption of Pending Rule, Bulletin Vol. 23-12 (PLR 2024)
39-0276-2301 Notice of Temporary and Proposed Rule, Bulletin Vol. 23-7 (eff. 7-1-23)T [*temporary rule expires sine die 2024*]
39-0276-2301 Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 23-5

39.03.01, Rules Governing Definitions Regarding Special Permits

- 39-0301-2301* Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 23-12 (PLR 2024)
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39-0301-2301* Notice of Proposed Rulemaking (ZBR Chapter Rewrite, Fee Rule), Bulletin Vol. 23-10
39-ZBRR-2303 **Rules of the Idaho Transportation Department** – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 03, Chapter 01 – Bulletin Vol. 23-7

39.03.02, Rules Governing Movement of Disabled Vehicles

- 39-0302-2301 Adoption of Pending Rule (ZBR Chapter Repeal), Bulletin Vol. 23-12 (PLR 2024)
39-0302-2301 Notice of Proposed Rulemaking (ZBR Chapter Repeal), Bulletin Vol. 23-10
39-ZBRR-2303 **Rules of the Idaho Transportation Department** – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 03, Chapter 02 – Bulletin Vol. 23-7

39.03.03, Rules Governing Special Permits - General Conditions and Requirements

- 39-0303-2301 Adoption of Pending Rule (ZBR Chapter Repeal), Bulletin Vol. 23-12 (PLR 2024)
39-0303-2301 Notice of Proposed Rulemaking (ZBR Chapter Repeal), Bulletin Vol. 23-10

39-ZBRR-2303 *Rules of the Idaho Transportation Department* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 03, Chapter 03 – Bulletin Vol. 23-7

39.03.04, Rules Governing Special Permits - Overweight Non-Reducible

39-0304-2301 Adoption of Pending Rule (ZBR Chapter Repeal), Bulletin Vol. 23-12 (PLR 2024)

39-0304-2301 Notice of Proposed Rulemaking (ZBR Chapter Repeal), Bulletin Vol. 23-10

39-ZBRR-2303 *Rules of the Idaho Transportation Department* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 03, Chapter 04 – Bulletin Vol. 23-7

39.03.05, Rules Governing Special Permits - Oversize Non-Reducible

39-0305-2301 Adoption of Pending Rule (ZBR Chapter Repeal), Bulletin Vol. 23-12 (PLR 2024)

39-0305-2301 Notice of Proposed Rulemaking (ZBR Chapter Repeal), Bulletin Vol. 23-10

39-ZBRR-2303 *Rules of the Idaho Transportation Department* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 03, Chapter 05 – Bulletin Vol. 23-7

39.03.06, Rules Governing Special Permits for Extra-Length/Excess Weight, Up to 129,000 Pound Vehicle Combinations

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39-0306-2301 Notice of Proposed Rulemaking (ZBR Chapter Repeal), Bulletin Vol. 23-10

39-ZBRR-2303 *Rules of the Idaho Transportation Department* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 03, Chapter 06 – Bulletin Vol. 23-7

39.03.07, Rules Governing Special Permits for Reducible Loads

39-0307-2301 Adoption of Pending Rule (ZBR Chapter Repeal), Bulletin Vol. 23-12 (PLR 2024)

39-0307-2301 Notice of Proposed Rulemaking (ZBR Chapter Repeal), Bulletin Vol. 23-10

39-ZBRR-2303 *Rules of the Idaho Transportation Department* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 03, Chapter 07 – Bulletin Vol. 23-7

39.03.08, Rules Governing Self-Propelled Snowplows

39-0308-2301 Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 23-12 (PLR 2024)

39-0308-2301 Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 23-10

39-ZBRR-2301 *Rules of the Idaho Transportation Department* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 03, Chapter 08 – Bulletin Vol. 23-5

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39-0340-2301 Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 23-12 (PLR 2024)

39-0340-2301 Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 23-10

39-ZBRR-2302 *Rules of the Idaho Transportation Department* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 03, Chapter 40 – Bulletin Vol. 23-6

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39-0342-2301 Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 23-12 (PLR 2024)

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39-0348-2301 Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 23-12 (PLR 2024)

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39-ZBRR-2302 *Rules of the Idaho Transportation Department* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 03, Chapter 48 – Bulletin Vol. 23-6

39.03.50, Rules Governing Safety Rest Areas

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39-ZBRR-2302 *Rules of the Idaho Transportation Department* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 03, Chapter 50 – Bulletin Vol. 23-6

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39-0401-2301 Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 23-12 (PLR 2024)

39-0401-2301 Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 23-10

39-ZBRR-2302 *Rules of the Idaho Transportation Department* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 04, Chapter 01 – Bulletin Vol. 23-6

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- 52-0103-2301** Adoption of Pending Rule, Bulletin Vol. 24-1 (PLR 2024)
- 52-0103-2301** Notice of Proposed Rulemaking, Bulletin Vol. 23-12
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- 55-0103-2301*** Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 23-10
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- 58-0108-2301** Notice of Proposed Rulemaking (ZBR Chapter Rewrite, Fee Rule), Bulletin Vol. 23-9
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58-0125-2301 Notice of Proposed Rulemaking (ZBR Chapter Rewrite, Fee Rule), Bulletin Vol. 23-9

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59-0201-2301 Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 23-11

59-0201-2301 Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 23-9

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IDAPA 62 – OFFICE OF ADMINISTRATIVE HEARINGS

62.01.01, Idaho Rules of Administrative Procedure

- 62-0101-2301** Adoption of Pending Rule (New Chapter), Bulletin Vol. 23-12 (PLR 2024)
- 62-0101-2301** Notice of Proposed Rulemaking (New Chapter), Bulletin Vol. 23-10
- 62-0101-2301** Notice of Intent to Promulgate Rules (New Chapter) – Negotiated Rulemaking, Bulletin Vol. 23-6

IDAPA 63 – IDAHO COUNCIL ON DOMESTIC VIOLENCE AND VICTIM ASSISTANCE

63.05.04, Domestic Violence Council Grants

**(Re-designated from IDAPA 16.05.04 to 63.05.04)*

- 63-0504-2400** IDAPA 63 – IDAHO COUNCIL ON DOMESTIC VIOLENCE AND VICTIM ASSISTANCE – Notice of Assignment of New IDAPA Designation Number – Redesignated to *IDAPA 63, Title 05, Chapter 04* from *IDAPA 16, Title 05, Chapter 04* – Bulletin Vol. 24-6 (eff. 7-1-24)

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