IDAHO ADMINISTRATIVE BULLETIN

May 7, 2025 – Vol. 25-5

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 **22-1** refers to the first Bulletin issued in calendar year **2022**; Bulletin **24-1** refers to the first Bulletin issued in calendar year **2024**. Volume numbers, which proceed from 1 to 12 in a given year, correspond to the months of publication, i.e.; Volume No. **22-1** refers to January 2022; Volume No. **24-2** refers to February 2024; and so forth. Example: The Bulletin published in January 2022 is cited as Volume **22-1**. The December 2022 Bulletin is cited as Volume **22-12**.

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 Idaho 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. For a rule to become final, at a minimum, a rulemaking includes proposed, pending, and final rulemaking. Some rules may be adopted as temporary rules when they meet the required statutory criteria. Agencies must, when feasible, engage in negotiated rulemaking at the beginning of the process to facilitate consensus building. In some cases, the process may begin with proposed rulemaking and end 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. 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.

4. FINAL RULEMAKING

A final rule is a rule that has been adopted by an agency under the regular rulemaking procedures, has been approved by the legislature, and is of full force and effect.

5. 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) reducing a regulatory burden that would otherwise impact individuals or businesses.

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.

Agencies must concurrently promulgate a temporary rule and a proposed rule when the text of the two rulemakings is the same, unless the temporary rule will expire before a proposed rule could become final.

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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 38.05.01.041.02.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"

"041." refers to Major Section 041, "Acquisition Procedures"

"02." refers to Subsection 041.**02**.

"c." refers to Subsection 041.02.c.

"ii." refers to Subsection 041.02.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 "-", (38-0501-2201). 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. 38-0501-2201"

"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).

"2201" 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 2022**. A subsequent rulemaking on this same rule chapter in calendar year 2022 would be designated as "2202". The docket number in this scenario would be 38-0501-2202.

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)

RULEMAKING DEADLINES CY 2025

BULLETIN MONTH / VOL.	FEB 25-2	MAR 25-3	APR 25-4	MAY 25-5	JUN 25-6	JUL 25-7	AUG 25-8	SEPT 25-9	OCT 25-10	NOV 25-11	DEC 25-12	JAN '26 26-1
ARRF Due	Dec 20	Jan 24	Feb 21	Mar 21	April 18	May 23	June 20	July 18	Aug 15	Sept 19	Oct 24	Nov 21
AGENCY FILING DUE	Jan 3	Feb 7	Mar 7	April 4	May 2	June 6	July 3	Aug 1	*Aug 29	Oct 3	Nov 7	**Dec 5
BULLETIN PUBLISHED	Feb 5	Mar 5	April 2	May 7	June 4	July 2	Aug 6	Sept 3	Oct 1	Nov 5	Dec 3	Jan 7
21-DAY COMMENT ENDS	Feb 26	Mar 5	April 23	May 28	June 25	July 23	Aug 27	Sept 24	Oct 22	Nov 26	Dec 24	Jan 28

^{*}August 29, 2025: Last day to submit a Proposed Rule for the upcoming Legislature

RULEMAKING DEADLINES CY 2026

BULLETIN MONTH / VOL.	FEB 26-2	MAR 26-3	APR 26-4	MAY 26-5	JUN 26-6	JUL 26-7	AUG 26-8	SEPT 26-9	OCT 26-10	NOV 26-11	DEC 26-12	JAN '27 27-1
ARRF Due	Dec 26	Jan 23	Feb 20	March 20	April 17	May 15	June 19	July 17	Aug 14	Sept 18	Oct 16	Nov 20
AGENCY FILING DUE	Jan 9	Feb 6	Mar 6	April 3	May 1	May 29	July 3	July 31	*Aug 28	Oct 2	Oct 30	**Dec 4
BULLETIN PUBLISHED	Feb 4	Mar 4	April 1	May 6	June 3	July 1	Aug 5	Sept 2	Oct 7	Nov 4	Dec 2	Jan 6
21-DAY COMMENT ENDS	Feb 25	Mar 25	April 22	May 27	June 24	July 22	Aug 26	Sept 23	Oct 28	Nov 25	Dec 23	Jan 27

^{*}August 28, 2026: Last day to submit a Proposed Rule for the upcoming Legislature

Access to DFM's Administrative Rules Request Form (ARRF)

Access the Idaho Rule Writer's Manual

^{**}December 5, 2025: Last day to submit a Pending Rule for the upcoming Legislature

^{**}December 4, 2026: Last day to submit a Pending Rule for the upcoming Legislature

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THE OFFICE OF THE GOVERNOR

EXECUTIVE DEPARTMENT STATE OF IDAHO BOISE

EXECUTIVE ORDER NO. 2025-04

MAKE FORESTS HEALTHY AGAIN ACT

WHEREAS, the State of Idaho enthusiastically shares President Donald Trump's goal to revitalize America's rural communities and minimize the catastrophic effects of wildfire by streamlining regulations and increasing active management of our nation's forests; and

WHEREAS, the recent Executive Order 14225 signed by President Trump concerning the expansion of timber management is desperately needed in western states to help mitigate the risk of catastrophic wildfires and increase timber harvest on National Forest lands; and

WHEREAS, the recent Secretary Memorandum 1078-006, INCREASING TIMBER PRODUCTION AND DESIGNATING AN EMERGENCY SITUATION ON NATIONAL FOREST SYSTEM LANDS further emphasizes the forest health crisis on federal lands and directs the USDA Forest Service (USFS) to reduce the red tape inhibiting active forest management; and

WHEREAS, more than 60 percent of Idaho's landmass is owned and managed by the federal government and wildfires on these properties pose a significant risk to lives, property, natural resources, fish and wildlife habitat, and more; and

WHEREAS, more than 6 million acres of federal forest lands in Idaho have been designated under the Healthy Forests Restoration Act (HFRA) as being severely at risk of insect and disease infestations; and

WHEREAS, Congress has acted many times to enact laws that allow for better forest management tools and categorical exclusions for forest health projects but these tools have not been utilized to their full extent to mitigate the risk of wildfires; and

WHEREAS, the Governor's 2024 Wildfire Report Recommendations outlined the need to expand categorical exclusions to mitigate catastrophic wildfires on federal lands; and

WHEREAS, since 2016, the Good Neighbor Authority (GNA) has served as the catalyst for increasing the pace and scale of timber harvest and restoration of National Forests in Idaho; and

WHEREAS, the Idaho Department of Lands (IDL) leads the nation in successfully implementing the GNA program which, alongside the Shared Stewardship program, has created stronger partnerships between the State of Idaho and the federal government to increase active management and restoration on National Forest System lands and adjacent private forestlands; and

WHEREAS, partnering with other state agencies and relying on their expertise continues to help advance the restoration of our National Forest System lands under GNA; and

WHEREAS, the condition of our National Forests, coupled with ongoing drought conditions, a rapidly expanding wildland urban interface, and more unwanted human-caused fires has resulted in significantly longer fire seasons with more extreme fire behavior than in the past, creating a wildfire crisis in Idaho; and

WHEREAS, the federal wildland fire agencies cooperate with IDL through the Master Cooperative Wildland Fire Management and Stafford Act Response Agreement to suppress wildfire in Idaho; and

WHEREAS, IDL relies heavily on local fire service organizations (FSOs) to assist in suppressing wildfires in Idaho's expanding wildland urban interface; and

WHEREAS, IDL possesses the expertise to prioritize and help coordinate timber harvest and watershed restoration activities on National Forest System lands in Idaho; and

WHEREAS, IDL maintains forest health and fire risk maps pursuant to the Idaho Forest Action Plan to help prioritize and plan forest health and fire risk reduction projects.

NOW, THEREFORE, be it resolved that, Idaho will enthusiastically support President Trump's Executive Order 14225 and Secretary Brooke Rollins SO 1078-006 to help streamline permitting for necessary forest management projects, and IDL will work with the U.S. Forest Service (USFS) wherever possible to utilize all federal and state authorities to expedite active forest management and mitigate the risk of catastrophic wildfires.

Be it further resolved that the maps found in the Idaho Forest Action Plan identifying forest health and fire risk, in addition to the 2025 fire risk map, will be provided to the USFS and the Department of Interior's Bureau of Land Management (BLM) to ensure inclusion in the emergency situation designation to allow for increased forest management in the form of but not limited to timber harvests, mechanical thinning, forest health projects, prescribed burns, fuel breaks, and aggressive yet safe initial attack during peak wildfire season.

Be it further resolved that IDL shall work within the legal confines of EO 14225 and SO 1078-006 to expand GNA and work with the USFS to update and expand Shared Stewardship agreements to increase the pace and scale of fuels reduction projects on federal lands in Idaho as well as on adjacent state and private forestlands, including both project planning and implementation of needed active management.

Be it further resolved that these emergency authorities are not limited to the lands listed above, and Idaho may request the prioritization of additional at-risk lands in the future.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho at the Capitol in Boise on this 22nd day of April in the year of our Lord two thousand and twenty-five.

BRAD LITTLE GOVERNOR

PHIL MCGRANE SECRETARY OF STATE

02.01.03 – AIRBORNE CONTROL OF UNPROTECTED OR PREDATORY ANIMALS RULES DOCKET NO. 02-0103-2501

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 22-102A, Idaho Code.

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

Monday, June 9, 2025 10:00 a.m. to 12:00 p.m (MT) Wednesday, July 16, 2025 10:00 a.m. to 12:00 p.m (MT)

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

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 web conferencing. Individuals interested in participating by telephone and web conferencing should visit https://townhall.idaho.gov/ for detailed information.

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 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:

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 31, 2025.

DATED this 7th day of May, 2025.

Lloyd B. Knight Deputy Director Idaho State Department of Agriculture 2270 Old Penitentiary Road P.O. Box 7249 Boise, ID 83707

Phone: (208) 332-8615

02.01.05 – RULES GOVERNING CERTIFICATES OF FREE SALE DOCKET NO. 02-0105-2501

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 22-112, Idaho Code.

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

Monday, June 9, 2025 2:00 p.m. to 4:00 p.m (MT) Monday, July 14, 2025 2:00 p.m. to 4:00 p.m (MT)

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

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 web conferencing. Individuals interested in participating by telephone and web conferencing should visit https://townhall.idaho.gov.

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 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:

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 31, 2025.

DATED this 7th day of May, 2025.

Lloyd B. Knight Deputy Director Idaho State Department of Agriculture 2270 Old Penitentiary Road P.O. Box 7249 Boise, ID 83707

Phone: (208) 332-8615

02.01.08 – RULES GOVERNING GRIZZLY BEAR AND WOLF DEPREDATION DOCKET NO. 02-0108-2501 (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 36-1121, Idaho Code.

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

Thursday, May 15, 2025 10:00 a.m. to 12:00 p.m. (MT)

Tuesday, May 27, 2025 10:00 a.m. to 12:00 p.m. (MT)

Thursday, July 17, 2025 10:00 a.m. to 12:00 p.m. (MT)

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

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 web conferencing. Individuals interested in participating by telephone and web conferencing should visit https://townhall.idaho.gov for detailed information.

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 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 original authorizing legislation for the compensation to livestock owners for depredation by wolves and grizzly bears was approved by the Idaho Legislature in H592 in the 2024 session, and amendments were added in

H0082 in the 2025 session. This rule was first published as a Temporary Rule in the December 4, 2024 Idaho Administrative Bulletin in order to allow implementation of the reimbursements for the 2024 calendar year. Negotiated rulemaking will now allow public input into the rule content, as well as the inclusion of new updates from H0082.

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 Lloyd B. Knight, Deputy Director, at (208)332-8615. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the ISDA website at the following web address: https://agri.idaho.gov/laws-and-rules/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 31, 2025.

DATED this 7th day of May, 2025.

Lloyd B. Knight Deputy Director Idaho State Department of Agriculture 2270 Old Penitentiary Road P.O. Box 7249 Boise, ID 83707

Phone: (208) 332-8615

02.02.05 - RULES GOVERNING STONE FRUIT GRADES

DOCKET NO. 02-0205-2501

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 22-702, 22-703, and 22-803, Idaho Code.

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

Thursday, June 12, 2025 9:00 a.m. to 11:00 a.m (MT)

Wednesday, July 2, 2025 9:00 a.m. to 11:00 a.m (MT)

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

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 web conferencing. Individuals interested in participating by telephone and web conferencing should visit https://townhall.idaho.gov for detailed information.

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 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:

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 31, 2025.

DATED this 7th day of May, 2025.

Lloyd B. Knight Deputy Director Idaho State Department of Agriculture 2270 Old Penitentiary Road P.O. Box 7249 Boise, ID 83707

Phone: (208) 332-8615

02.02.07 – RULES GOVERNING BULK PERMITS AND RETAIL SALE OF POTATOES

DOCKET NO. 02-0207-2501

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 22-901, 22-911, and 22-2006, Idaho Code.

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

Thursday, June 12, 2025 11:00 a.m. to 1:00 p.m. (MT)

Wednesday, July 2, 2025 11:00 a.m. to 1:00 p.m. (MT)

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

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 web conferencing. Individuals interested in participating by telephone and web conferencing should visit https://townhall.idaho.gov for detailed information.

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 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:

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 31, 2025.

DATED this 7th day of May, 2025.

Lloyd B. Knight Deputy Director Idaho State Department of Agriculture 2270 Old Penitentiary Road P.O. Box 7249 Boise, ID 83707

Phone: (208) 332-8615

02.02.11 - RULES GOVERNING EGGS AND EGG PRODUCTS

DOCKET NO. 02-0211-2501

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 22-112, 22-702, and 37-1521, Idaho Code.

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

Tuesday, June 17, 2025 9:00 a.m. to 11:00 a.m (MT) Tuesday, July 15, 2025 9:00 a.m. to 11:00 a.m (MT)

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

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 web conferencing. Individuals interested in participating by telephone and web conferencing should visit https://townhall.idaho.gov for detailed information.

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 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:

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 31, 2025.

DATED this 7th day of May, 2025.

Lloyd B. Knight Deputy Director Idaho State Department of Agriculture 2270 Old Penitentiary Road P.O. Box 7249 Boise, ID 83707

Phone: (208) 332-8615

02.02.14 - RULES FOR WEIGHTS AND MEASURES

DOCKET NO. 02-0214-2501

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 71-111, 71-121, 71-232, 71-233, 71-236, 71-241, and 71-408, Idaho Code.

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

Thursday, June 12, 2025 2:00 p.m. to 4:00 p.m. (MT)

Wednesday, July 2, 2025 2:00 p.m. to 4:00 p.m. (MT)

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

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 web conferencing. Individuals interested in participating by telephone and web conferencing should visit https://townhall.idaho.gov for detailed information.

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 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:

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 31, 2025.

DATED this 7th day of May, 2025.

Lloyd B. Knight Deputy Director Idaho State Department of Agriculture 2270 Old Penitentiary Road P.O. Box 7249 Boise, ID 83707

Phone: (208) 332-8615

02.04.20 – RULES GOVERNING BRUCELLOSIS

DOCKET NO. 02-0420-2501

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 25-203 and 25-601, Idaho Code.

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

Tuesday, June 17, 2025 11:00 a.m. to 1:00 p.m. (MT) Tuesday, July 15, 2025 11:00 a.m. to 1:00 p.m. (MT)

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

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 web conferencing. Individuals interested in participating by telephone and web conferencing should visit https://townhall.idaho.gov for detailed information.

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 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:

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 31, 2025.

DATED this 7th day of May, 2025.

Lloyd B. Knight Deputy Director Idaho State Department of Agriculture 2270 Old Penitentiary Road P.O. Box 7249 Boise, ID 83707

Phone: (208) 332-8615

02.04.24 – RULES GOVERNING TUBERCULOSIS

DOCKET NO. 02-0424-2501

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

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

Tuesday, June 17, 2025 1:00 p.m. to 3:00 p.m. (MT) Tuesday, July 15, 2025 1:00 p.m. to 3:00 p.m. (MT)

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

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 web conferencing. Individuals interested in participating by telephone and web conferencing should visit https://townhall.idaho.gov for detailed information.

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 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:

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 31, 2025.

DATED this 7th day of May, 2025.

Lloyd B. Knight Deputy Director Idaho State Department of Agriculture 2270 Old Penitentiary Road P.O. Box 7249 Boise, ID 83707

Phone: (208) 332-8615

02.04.26 – RULES GOVERNING THE PUBLIC EXCHANGE OF LIVESTOCK DOCKET NO. 02-0426-2501

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 25-203, 25-305, 25-401, 25-601, 25-1723(b), and 25-3520, Idaho Code.

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

Monday, June 30, 2025 10:00 a.m. to 12:00 p.m. (MT)

Monday, July 14, 2025 10:00 a.m. to 12:00 p.m. (MT)

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

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 web conferencing. Individuals interested in participating by telephone and web conferencing should visit https://townhall.idaho.gov for detailed information.

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 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:

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 31, 2025.

DATED this 7th day of May, 2025.

Lloyd B. Knight Deputy Director Idaho State Department of Agriculture 2270 Old Penitentiary Road P.O. Box 7249 Boise, ID 83707

Phone: (208) 332-8615

02.06.01 – RULES GOVERNING THE PRODUCTION AND DISTRIBUTION OF SEED DOCKET NO. 02-0601-2501

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 22-108(2), 22-418(11), 22-2004, and 22-2006, Idaho Code.

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

Tuesday, June 17, 2025 3:00 p.m. to 5:00 p.m (MT)

Tuesday, July 15, 2025 3:00 p.m. to 5:00 p.m (MT)

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

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 web conferencing. Individuals interested in participating by telephone and web conferencing should visit https://townhall.idaho.gov for detailed information.

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 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:

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 31, 2025.

DATED this 7th day of May, 2025.

Lloyd B. Knight Deputy Director Idaho State Department of Agriculture 2270 Old Penitentiary Road P.O. Box 7249 Boise, ID 83707

Phone: (208) 332-8615

IDAPA 02 – DEPARTMENT OF AGRICULTURE

02.07.01 – RULES OF THE IDAHO HOP GROWERS' COMMISSION DOCKET NO. 02-0701-2501

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 Section 22-3104, Idaho Code.

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

Wednesday, June 18, 2025 3:00 p.m. to 5:00 p.m. (MT)

Wednesday, July 16, 2025 3:00 p.m. to 5:00 p.m. (MT)

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

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 web conferencing. Individuals interested in participating by telephone and web conferencing should visit https://townhall.idaho.gov for detailed information.

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 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 ISDA's plan to review each rule every 5 years. There are no specific rulemaking changes planned by the ISDA 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 ISDA 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 ISDA will review the documents that are currently incorporated by reference in this rule and update that list as applicable. Incorporated by reference documents presented for review will be part of informal negotiated rulemaking and stakeholders will provide input on that process.

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 Lloyd B. Knight, Deputy Director, at (208)332-8615. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the ISDA website at the following web address: https://agri.idaho.gov/laws-and-rules/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 31, 2025.

DATED this 7th day of May, 2025.

Lloyd B. Knight Deputy Director Idaho State Department of Agriculture 2270 Old Penitentiary Road P.O. Box 7249 Boise, ID 83707

Phone: (208) 332-8615

Email: lloyd.knight@isda.idaho.gov

IDAPA 13 – IDAHO FISH AND GAME COMMISSION

ESTABLISHING SEASONS AND LIMITS FOR HUNTING, FISHING, AND TRAPPING IN IDAHO DOCKET NO. 13-0000-2500P2

NOTICE OF ADOPTED / AMENDED PROCLAMATIONS FOR CALENDAR YEAR 2025

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 https://idfg.idaho.gov/about/commission/schedule, with opportunities for public comment generally scheduled at its January, March, May, July, and November meetings.

Information for Commission proclamations for calendar year 2025 was initially published in the Idaho Administrative Bulletin, February 5, 2025, Bulletin Volume 25-2, pages 10-11.

At a March 26, 2025, regular meeting the Commission took the following proclamation actions:

- 1. Adopted a proclamation for 2025 spring Chinook Salmon fishing, establishing seasons and limits for Chinook Salmon in the Snake River, Lower Salmon River, Little Salmon River, Mainstem Clearwater River, Middle Fork Clearwater River, North Fork Clearwater River, and South Fork Clearwater River;
- 2. Adopted a proclamation for the 2025-2026 big game seasons (includes deer, elk, pronghorn, black bear, mountain lion, and wolf), establishing seasons and limits for hunting and trapping in Idaho. This proclamation action included adoption of landowner appreciation and permission hunts; and
- 3. Adopted a proclamation for the 2025-2027 Idaho Peregrine Falcon Seasons, establishing seasons and limits for taking of Peregrine Falcons in Idaho.

At an April 15, 2025, special meeting the Commission took the following proclamation actions:

- 1. Adopted a proclamation for the 2025-2026 migratory bird seasons, establishing seasons and limits for taking of ducks, snipes, coots, geese, swans, doves, crows, and sandhill cranes in Idaho; and
- 2. Amended its proclamations and lifted closures on hunting, fishing, and trapping in a portion of the Snake River (below the ordinary high water mark) between Pillar Falls and the Twin Falls power plant. The following Proclamations were amended: (1) 2025-2027 Idaho Fishing Seasons; (2) 2024-2025 Idaho Upland Game, Turkey and Furbearer Seasons; (3) 2025 Idaho Big Game Seasons; and (4) 2024-2025 Idaho Migratory Game Bird Seasons. The Commission's reopening of this section of river is in accord with the Idaho State Department of Agriculture's (ISDA) current lack of river closure in this section of river. Under ISDA rules, all conveyances and anything that have touched the water must be decontaminated from any potential quagga mussels.

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

IDAPA 13 – IDAHO DEPARTMENT OF FISH AND GAME

13.01.03 – PUBLIC USE OF LANDS OWNED OR CONTROLLED BY THE DEPARTMENT OF FISH AND GAME

DOCKET NO. 13-0103-2501

NOTICE OF INTENT TO PROMULGATE RULES – ZERO-BASED REGULATION (ZBR) NEGOTIATED RULEMAKING

AUTHORITY: In compliance with Section 67-5220, Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment and input prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Section 36-104(b), Idaho Code.

METHOD OF PARTICIPATION: Public comment opportunities will be available at the commissions two scheduled meetings shown below. Written comments will also be accepted through the rulemaking portal here.

Wednesday, May 21, 2025 7:00 p.m. (MT)

Idaho Fish and Game Commission Public Meeting

IDFG Upper Snake Regional Office 4279 Commerce Circle Idaho Falls, ID 83401

Wednesday, July 16, 2025 7:00 p.m. (PT)

Idaho Fish and Game Commission Public Meeting

IDFG Panhandle Regional Office 2885 W. Kathleen Avenue Coeur d'Alene, ID 83815

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

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

This rulemaking concerns the comprehensive review of current chapter IDAPA 13.01.03, "Public Use of Lands Owned or Controlled by the Department of Fish and Game," in compliance with Executive Order 2021.01. The agency has identified some technical, duplicative, and non-substantive modifications that may be evaluated for integration.

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

IDAHO DEPARTMENT OF FISH AND GAME Public Use of Lands Owned or Controlled by IDFG

Docket No. 13-0103-2501 ZBR Negotiated Rulemaking

DATED this 21st day of March, 2025.

Amber Worthington, Deputy Director Idaho Department of Fish and Game 600 S. Walnut Street P.O. Box 25 Boise, ID 83707

Phone: (208) 334-3771

Email: Rules Comments or rules@idfg.gov

IDAPA 13 – IDAHO DEPARTMENT OF FISH AND GAME

13.01.08 – RULES GOVERNING TAKING OF BIG GAME ANIMALS

DOCKET NO. 13-0108-2501

NOTICE OF RULEMAKING - ADOPTION OF TEMPORARY RULE

EFFECTIVE DATE: The effective date of the temporary rule is April 15, 2025.

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(s) 36-104, 36-409, and 36-1101, Idaho Code.

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

This rulemaking adds a new section requiring a person placing or using bait for hunting black bear to report the presence of a grizzly bear at the site to the Department and to remove the bait from that location. This rulemaking is for the purpose of preventing a person from unlawfully taking a grizzly bear and improving safety related to black bear hunting. This rulemaking addresses the use of bait in black bear hunting in areas outside of occupied grizzly bear recovery areas identified by the U.S. Fish and Wildlife Service (where the Commission has long prohibited the use of bait in black bear hunting). This rulemaking provides an additional state regulatory mechanism to further support removal of grizzly bears from the federal list of endangered and threatened wildlife and achieve reduction in federal regulatory burden. This rule is similar to a Wyoming regulation for use of bait in black bear hunting that has been in place for a number of years.

This rulemaking addresses the use of bait in black bear hunting in areas outside of occupied grizzly bear recovery areas identified by the U.S. Fish and Wildlife Service. (The Commission has long prohibited the use of bait in black bear hunting in occupied recovery areas in Game Management Unit 1 and Game Management Units in the Greater Yellowstone Recovery Area.)

Proposed rulemaking is being conducted under Docket No. 13-0108-2401, (Zero-Based Regulation (ZBR) Rulemaking), previously published in Bulletin Vol. 24-5, and Docket No. 13-0117-2401 (ZBR Rulemaking) as previously published in Bulletin Vol. 24-5.

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

This temporary rule adoption protects public safety and welfare by preventing a person from unlawfully taking a grizzly bear during black bear hunting and improving safety of black bear hunting with use of bait. As described above, this rulemaking provides an additional state regulatory mechanism to further support removal of grizzly bears from the federal list of endangered and threatened wildlife and achieve reduction in federal regulatory burden.

The Department has revised the previous temporary rule on this subject, IDAPA 13.01.17.300, which expired April 04, 2025 to reflect constituent and staff feedback. The temporary rule is being adopted in IDAPA 13.01.08 in conjunction with proposed ZBR rulemaking that proposes chapter consolidation.

FEE SUMMARY: There is no fee associated with the change brought by this rulemaking.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning the temporary rule, contact Amber Worthington (208) 334-3771.

DATED this 16th day of April, 2025.

Amber Worthington Deputy Director Idaho Department of Fish and Game 600 S. Walnut Street P.O. Box 25 Boise, ID 83707 (208) 334-3771

THE FOLLOWING IS THE TEXT OF THE TEMPORARY RULE FOR DOCKET NO. 13-0108-2501 (Only Those Sections With Amendments Are Shown.)

13.01.08 - RULES GOVERNING TAKING OF BIG GAME ANIMALS

850. USE OF BAIT BY A GRIZZLY BEAR.

Any person witnessing a grizzly bear's use of a bait site placed for black bear hunting must report such use to the Department within twenty-four (24 hours) of witnessing such use. Upon notification by the Department to the holder of the bait site permit of grizzly bear use of the site, no person may hunt black bear over such a bait site for the remainder of the current black bear hunting season. The bait site(s) will be closed for the remainder of the current black bear hunting season and the bait must be removed as soon as possible.

(4-15-25)T

IDAPA 13 – IDAHO DEPARTMENT OF FISH AND GAME

13.01.19 – RULES FOR SELECTING, OPERATING, DISCONTINUING, AND SUSPENDING VENDORS DOCKET NO. 13-0119-2501

NOTICE OF INTENT TO PROMULGATE RULES – ZERO-BASED REGULATION (ZBR) NEGOTIATED RULEMAKING

AUTHORITY: In compliance with Section 67-5220, Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment and input prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Section(s) 36-301 and 36-307, Idaho Code.

METHOD OF PARTICIPATION: Public comment opportunities will be available at the commissions two scheduled meetings shown below. Written comments will also be accepted through the rulemaking portal here.

Wednesday, May 21, 2025 7:00 p.m. (MT)

Idaho Fish and Game Commission Public Meeting

IDFG Upper Snake Regional Office 4279 Commerce Circle Idaho Falls, ID 83401

> Wednesday, July 16, 2025 7:00 p.m. (PT)

Idaho Fish and Game Commission Public Meeting

IDFG Panhandle Regional Office 2885 W. Kathleen Avenue Coeur d'Alene, ID 83815

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

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

This rulemaking concerns the comprehensive review of current chapter IDAPA 13.01.19, "Rules for selecting, operating, discontinuing, and suspending vendors," in compliance with Executive Order 2021.01. The agency has identified some technical, duplicative, and non-substantive modifications that may be evaluated for integration and some areas that may be subject to revision based on current practice and use.

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

DATED this 21st day of March, 2025.

Amber Worthington, Deputy Director Idaho Department of Fish and Game 600 S. Walnut Street P.O. Box 25 Boise, ID 83707

Phone: (208) 334-3771

Email: Rules Comments or rules@idfg.gov

IDAPA 15 – OFFICE OF THE GOVERNOR MILITARY DIVISION – IDAHO PUBLIC SAFETY COMMUNICATIONS COMMISSION

15.06.01 – RULES GOVERNING THE IDAHO PUBLIC SAFETY COMMUNICATIONS COMMISSION DOCKET NO. 15-0601-2501

NOTICE OF RULEMAKING - TEMPORARY AND PROPOSED RULE

EFFECTIVE DATE: The effective date of the temporary rule is 1 May, 2025.

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(s) 31-4816(18), Idaho Code, and 31-4819(1)(b) of the Idaho Code.

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

Thursday, May 8, 2025 12:00 p.m. (MT)

In person meeting details: 11331 Chinden Blvd Boise ID 83714

Online participation via Teams available at: Link Meeting ID: 299 280 763 7405 Passcode: Yw3YP6m7

> Thursday, May 15, 2025 12:00 p.m. (MT)

In person meeting details: 11331 Chinden Blvd Boise ID 83714

Online participation via Teams available at: Link Meeting ID: 218 912 809 7629 Passcode: Fb77GW9V

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:

Nontechnical Explanation of the Substance and Purpose of the Proposed Rulemaking

 Legacy 911 systems and copper infrastructure throughout the State of Idaho are degraded and encounter reduced supportability from the industry. Further, the structure was designed for land-lines and does not provide location of cellular calls; resulted in lost and transferred calls. The current funding method via the 911 Emergency Communications Grant Fee is insufficient for long term funding of modern IP based systems.

- Legacy 911 systems do not provide location routing resulting in lost or transferred calls: Idaho leads the nation in cellular-only households. Over 85% of 911 calls are made via cellular phones.
- Legacy systems lack redundancy; a downed PSAP only has the option of forwarding calls with the receiving agency attempting to determine information. NG911 is internet protocol based and automatically transfers to functioning PSAPs with location data.
- 18 July 2024 FCC Report and Order 24-78 requires wireless providers to enable technology to deliver emergency calls via internet protocol in preparation for future needs.
- Stand-alone, short-term purchases of NG911 systems and equipment costs are up to 40% more than unified, five-year contracts. Additionally, Unified systems function at a higher level and ensure all public safety access points (PSAPs) operate with the same technology
- Current emergency services network costs acquired through year-to-year pricing are 25-30% higher than a five-year acquisition per Idaho Regional Optical Network leadership.
- Current Administrative Rules only allow contracts up to two years; making acquisition fiscally unattainable. Whereas five-year contracts would sufficiently reduce costs to modernize grant participating PSAPs within allowable ranges of the grant fund.
- The inability to move forward during this grant-cycle will result in some agencies attempting to purchase expensive small-scale systems to avoid failure. These small-scale purchases historically have not worked well with adjacent agencies and are not fiscally sustainable long-term.
- Broad purchases, like what the administrative rule change would allow, are in line with the National Emergency Numbering Association (NENA) i3 standards.
- Six items of unutilized criteria are removed from the application process to reduce regulatory burden.

Required Finding and Concise Statement for Temporary Rulemaking

IDAPA 15.06.01 Subchapter B-Commission Grants

101. GRANT CYCLE

- (.01) Provides application guidance to applicants 30 days sooner
- (.02) Expands the period for consideration of amendments
- (.05) Provides for grant disbursement up to five years to allow for long-term contracts to reduce costs
- (.06) Clarifying language on return of unutilized funds

102

(.01/.02) Reduces requirements for application-allowing for participation in more cost-effective consolidated systems (.03) Greater opportunity to seek amendment with justification to reduce costs associated with creating a new grant request

103

- (.02) Defines services associated with modern systems
- (.03e) Requires submission of GIS data necessary for functionality of modern systems

104

(.04-.09) Removed: unnecessary regulatory burden to both the applicants and Commission

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

The temporary rule changes benefit the safety of Idaho citizens through the modernization of degraded 911 infrastructure and systems through the more efficient use of existing Emergency Communications Grant Fees. Further, these changes reduce the regulatory burden to both the applicants and Commission through the removal of six unutilized application criteria.

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

There are no proposed fees or fee increases in this request.

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:

There is no fiscal impact to the state general fund associated with this change. Changes allow for the more efficient use of the Emergency Communications Grant Fee to obtain necessary systems upgrades.

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(2), Idaho Code, negotiated rulemaking was not conducted because of time constraints associated with the upcoming Idaho Public Safety Communications Commission grant cycle (June 1-July31) and the inability of some agencies to defer maintenance and upgrades to the next cycle.

However, the IPSCC held public meetings on December, 12 2024 and January 9, 2025 (on-line and in person) wherein the rule changes were presented for discussion and input. Both the meeting agendas and minutes were posted to the IPSCC site for review and input. The meetings were attended by IPSCC Commissioners, members of the vendor and telephone community, and stakeholders such as Idaho Information Technology Services. No objections were raised during those meetings or following periods.

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: No references made.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the temporary and proposed rule, contact Eric Newman 208-995-6984.

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 May 28, 2025.

DATED this 1st day of May, 2025.

Eric Newman 911 Program Manager Idaho Military Division-Idaho Office of Emergency Management 4040 Guard St. Gowen Field, Boise, ID 83705 208-995-6984

THE FOLLOWING IS THE TEMPORARY RULE AND THE PROPOSED TEXT OF DOCKET NO. 15-0601-2501 (Only Those Sections With Amendments Are Shown.)

15.06.01 - RULES GOVERNING THE IDAHO PUBLIC SAFETY COMMUNICATIONS COMMISSION

SUBCHAPTER B – COMMISSION GRANTS

100. GRANT ADMINISTRATION.

O1. Grant Administration. The moneys that may be available through the ECGF are from the emergency communications fees placed in the Fund pursuant to Section 31-4819, Idaho Code. Administration of the Grants is detailed in Commission Policy Letter. (4-6-23)(5-1-25)T

101. GRANT CYCLE.

- **01. Application Availability.** The Commission will make an application and guidance available no later than <u>July June</u> 1 of each year. (4.6.23)(5-1-25)T
- **O2. Application Period.** The Applicant has until July 31 to complete and submit the application to the Commission unless prior coordination with the Commission has established an alternate date. (4 6 23)(5-1-25)T
- **03. Application Evaluation Period**. Prior to September 15, the Commission and, if applicable, a grant subcommittee, will evaluate the applications received. (4-6-23)
- **04. Award Notification**. Prior to October 31, the Commission will issue notification to every Applicant regarding the disposition of its grant request. (4-6-23)
- **05. Grant Disbursement.** Grant disbursement will occur prior to April 30 Grant disbursement will be in accordance with the agreed upon contract terms described within the approved grant application. Disbursements may be requested for up to five (5) years for consolidated efforts toward future 911 technologies and services. Disbursement of all other localized equipment and maintenance may be requested for up to two (2) years. The Grants and Finance Manager will report any deviations to the Commission during regularly scheduled meetings.

(4-6-23)(5-1-25)T

06. Deadline for Return of Funds. All unused grant funds not expended for costs associated with Applicant's award must be returned by the Applicant no later than May 31 of the final year of the approved grant.

102. APPLICATION.

A completed application must be submitted by the Applicant on or before the conclusion of the application period to be considered during the Grant Cycle. The applicant may coordinate with the Commission to establish an agreed upon alternate date provided there is justification.

(4-6-23)(5-1-25)T

- 01. Application Frequency. Only one (1) application per Consolidated Emergency Communication Center may be filed in any Grant Cycle, on the form required by the Commission The applicant must clearly state all grant applications in which their respective agency is a participant.

 (4-6-23)(5-1-25)T
- **02. Incomplete Application**. An application missing required information may be excluded from consideration for an award. (4-6-23)
- **03.** Applicant's Request for Amendment. An Applicant may request an amendment to its application or approved award after the application period has ended-by. The applicant must sending both a written request and, the proposed-application amendment, and stated justification to the IPSCC grant subcommittee. The Commission may grant such amendments at its discretion.

 (4-6-23)(5-1-25)T

103. AWARD ELIGIBILITY REQUIREMENTS.

- **01.** Eligible Equipment. Only e Equipment identified as allowable in the application guidance may be purchased with grant funds.

 (4 6 23)(5-1-25)T
- **O2.** Services. Maintenance service agreements, software delivery, technical assistance, and prescribed upgrades associated with transitional or future state NG911 may be purchased with grant funds. (5-1-25)T
- **023. Award Consideration Criteria**. To be considered for an award, an Applicant must meet all of the following requirements: (4-6-23)
- **a.** Be a Consolidated Emergency Communication Center collecting emergency communications fees in accordance with Title 31, Chapter 48, Idaho Code, delivering or seeking to deliver Consolidated Emergency Communication services; (4-6-23)
- **b.** Comply and warrant to comply with applicable law, including but not limited to Section 31-4804(5), Idaho Code; (4-6-23)

- c. Agree to follow all applicable bid laws in the acquisition of any equipment paid for with grant funds; and. (4-6-23)(5-1-25)T
- d. Agree to use any grant funds in strict compliance with the grant terms and agree to provide written documentation or proof of expenses to the Commission as required by the grant terms: and (4-6-23)(5-1-25)T
- <u>e.</u> Submit a completed memorandum of agreement (MOA) for the maintenance and sharing of geospatial information systems (GIS) data no less than every three (3) months for the necessary functions of public safety software and systems.

 (5-1-25)T

104. CRITERIA FOR EQUIPMENT.

The following weighted criteria will be used to evaluate applications for equipment, with maximum weight available for each criterion as indicated. Greater value will be assigned to conditions indicating greater need for each criterion:

(4-6-23)

- **01. Applicant Equipment Age.** The age of similar equipment currently in use by the Applicant; value = fifteen (15). The application demonstrating older equipment will be assigned greater value. The application demonstrating replacement of older equipment with NG911/I3 compliant equipment will be assigned a greater value.

 (4-6-23)
- **02. Applicant Equipment Availability.** Similar equipment currently in use by the Applicant; value = fifteen (15). The application demonstrating lack of similar equipment will be assigned greater value; the application demonstrating no access to similar equipment will be assigned the maximum value. (4-6-23)
- **O3.** Anticipated Use. An estimate of the frequency of use for the equipment; value = fifteen (15). The application demonstrating a higher ratio of dispatch per capita will be assigned greater value. (4-6-23)
- 94. Duration of Use. An estimate of the length of time the equipment would be used, expressed as a mean time; value = fifteen (15). The application demonstrating a greater duration of use will be assigned greater value.

 (4-6-23)
- **65.** Fiscal Resource Base. The proportion of operating budget supported by tax revenue; value = ten (10). The application demonstrating less revenue from taxes expressed as a percent of total revenue for the most recent year will be assigned greater value. (4.6.23)
- Of. City, County and Taxing District Endorsement. The proportion of Idaho cities, counties and Taxing Districts within which the Applicant's primary service area occurs that endorse the application; value = five (5). The application demonstrating a larger percent of endorsements will be assigned greater value. (4-6-23)
- **Population.** The number of people residing in the Consolidated Emergency Communications Center's service area; value = five (5). The application demonstrating a greater number of people will be assigned greater value.

 (4-6-23)
- **98.** Square Mileage. The area served by the Consolidated Emergency Communications Center; value = fifteen (15). The application demonstrating a greater square mileage will be assigned greater value. (4-6-23)
- 99. Number of Law Enforcement, Fire and Emergency Medical Service Agencies Dispatched.

 Value ten (10). The application demonstrating a higher number of law enforcement, fire and emergency medical service agencies will be assigned greater value.

 (4-6-23)
- Applicant; value = twenty (20). The application demonstrating a greater need for and lack of available funds will be assigned greater value. The application seeking to share resources and equipment with other 911 service areas (e.g., host remote) will be assigned a greater value. (4-6-23)

IDAPA 16 - IDAHO DEPARTMENT OF HEALTH AND WELFARE

16.06.02 – FOSTER CARE LICENSING DOCKET NO. 16-0602-2500 NOTICE OF REVOCATION OF FINAL RULE

EFFECTIVE DATE: The effective date of this action is March 19, 2025.

AUTHORITY: In compliance with Sections 67-5202(2), Idaho Code, 67-5203(4)(d), Idaho Code, and 67-5204(b)-(c), Idaho Code, and Senate Bill 1034, notice is hereby given that the Office of the Administrative Rules Coordinator has taken action to revise Idaho's Administrative Code to remove certain rules that have been repealed by an act of the Idaho Legislature.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for publishing this notice:

The Idaho Legislature passed Senate Bill 1034 with broad support and Governor Little signed it into law on March 19, 2025. This legislation moved administrative rules governing foster care licensing into statute. Section 3 contained a sunset clause that made parts of IDAPA 16.06.02 null, void, and of no force and effect on and after passage and approval of Senate Bill 1034. Specifically, the following sections and subsections of IDAPA 16.06.02 are null, void, and no force and effect:

- Subsections 010.12 and 13;
- Subsection 102.03;
- Section 206;
- Section 230;
- Section 232; and
- Section 233.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance with technical questions concerning the revocation of this final rule, contact Lauren Smyser at (208)854-3097.

DATED this 7th day of May, 2025.

Brad 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 adminrules@dfm.idaho.gov

IDAPA 18 – IDAHO DEPARTMENT OF INSURANCE

DOCKET NO. 18-ZBRR-2501 (ZBR CHAPTER REWRITES)

OMNIBUS 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 41-211, 41-2141, 41-2216, 41-4207, 41-4608, 41-4715, 41-5211, 41-5214, Idaho Code.

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

Tuesday, May 20, 2025 2:00PM – 4:00PM (MT)

In-person participation is available at:
Department of Insurance
700 W. State St. 3rd Floor
Boise, ID 83702

Web meeting link:
Click here to join the meeting
Meeting ID: 213 782 652 232
Passcode: Fq2UL3YZ
Download Teams | Join on the web

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 meeting in person or via web conferencing. While verbal comments are accepted during the scheduled meeting, DOI requests all comments also be submitted in writing for the record. 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 DOI's plan to review each rule every 5 years. There are no specific rulemaking changes planned by the DOI 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. The DOI 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 following rule chapters are germane to this rulemaking:

- 18.04.05 Self-Funded Health Care Plans Rule;
- 18.04.06 Governmental Self-Funded Employee Health Care Plans Rule;
- 18.04.11 Long-Term Care Insurance Minimum Standards;
- 18.04.12 The Small Employer Health Insurance and Availability Act;
- 18.04.13 The Individual Health Insurance Availability Act;
- 18.04.14 Coordination of Benefits;
- 18.04.15 Rules Governing Short-Term Health Insurance Coverage; and
- 18.06.05 Managing General Agents.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING DRAFT COPIES: For assistance on technical questions concerning this negotiated rulemaking or to obtain a preliminary draft copy of the rule text (if available), contact Weston Trexler, (208) 334-4214, weston.trexler@doi.idaho.gov. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the Department's website at the following web address: https://doi.idaho.gov/ information/regulation/leg/.

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 Wednesday, May 28, 2025.

DATED this 4th day of April, 2025.

Dean L. Cameron, Director Idaho Department of Insurance 700 W. State Street, 3rd Floor P.O. Box 83720 Boise, ID 83720-0043

Phone: (208) 334-4250 Fax: (208) 334-4398

IDAPA 24 - DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES

24.06.01 – RULES FOR THE LICENSURE OF OCCUPATIONAL THERAPISTS AND OCCUPATIONAL THERAPY ASSISTANTS

DOCKET NO. 24-0601-2501

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(1)(g), Idaho Code, and Section 54-3712, Idaho Code.

MEETING SCHEDULE: A public hearing 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.

24.06.01 – Rules for the Licensure of Occupational Therapists and Occupational Therapy Assistants

Thursday, July 10, 2025 – 9:00 a.m. (MT) Virtual Meeting Link to be posted publicly at a later date.

Division of Occupational and Professional Licenses Coolwater Room, Chinden Campus Building 4 11341 W. Chinden Blvd., Bldg. #4 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:

An amendment to Rule 400 regarding a potential increase in fees to address the Occupational Therapy Licensure Board's cash balances.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING DRAFT COPIES: For assistance on technical questions concerning this negotiated rulemaking, contact Kolby Reddish, Lead Counsel, 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/.

DIVISION OF OCCUPATIONAL & PROFESSIONAL LICENSES Rules for the Licensure of Occupational Therapists & OT Assistants

Docket No. 24-0601-2501 Negotiated 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 7th day of May, 2025.

Kolby Reddish Lead Counsel 11341 W. Chinden Blvd., Bldg. #4 Boise, ID 83714

Phone: (208) 577-2491

Email: kolby.reddish@dopl.idaho.gov

IDAPA 24 - DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES

24.13.01 – RULES GOVERNING THE PHYSICAL THERAPY LICENSURE BOARD DOCKET NO. 24-1301-2501

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(1)(g), Idaho Code, and Section 54-2207, Idaho Code.

MEETING SCHEDULE: A public hearing 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.

24.13.01 – Rules Governing the Physical Therapy Licensure Board

Tuesday, August 5, 2025 – 9:00 a.m. (MT) Virtual Meeting Link to be posted publicly at a later date.

Division of Occupational and Professional Licenses Coolwater Room, Chinden Campus Building 4 11341 W. Chinden Blvd., Bldg. #4 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:

An amendment to Rule 400 regarding a potential increase in fees to address the Physical Therapy Licensure Board's cash balances.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING DRAFT COPIES: For assistance on technical questions concerning this negotiated rulemaking, contact Kolby Reddish, Lead Counsel, 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/.

DIVISION OF OCCUPATIONAL & PROFESSIONAL LICENSES Rules Governing the Physical Therapy Licensure Board

Docket No. 24-1301-2501 Negotiated 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 7th day of May, 2025.

Kolby Reddish Lead Counsel 11341 W. Chinden Blvd., Bldg. #4 Boise, ID 83714

Phone: (208) 577-2491

Email: kolby.reddish@dopl.idaho.gov

IDAPA 24 - DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES

24.17.01 – RULES OF THE STATE BOARD OF ACUPUNCTURE

DOCKET NO. 24-1701-2501

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(1)(g), Idaho Code, and Section 54-4705(1)(c), Idaho Code.

MEETING SCHEDULE: A public hearing 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.

24.17.01 – Rules of the State Board of Acupuncture

Tuesday, May 20, 2025 – 9:00 a.m. (MT) Virtual Meeting Link to be posted publicly at a later date.

Division of Occupational and Professional Licenses Coolwater Room, Chinden Campus Building 4 11341 W. Chinden Blvd., Bldg. #4 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:

An amendment to Rule 400 regarding a potential increase in fees to address the Board of Acupuncture's cash balances.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING DRAFT COPIES: For assistance on technical questions concerning this negotiated rulemaking, contact Kolby Reddish, Lead Counsel, 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/.

DIVISION OF OCCUPATIONAL & PROFESSIONAL LICENSES Rules of the State Board of Acupuncture

Docket No. 24-1701-2501 Negotiated 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 7th day of May, 2025.

Kolby Reddish Lead Counsel 11341 W. Chinden Blvd., Bldg. #4 Boise, ID 83714

Phone: (208) 577-2491

Email: kolby.reddish@dopl.idaho.gov

IDAPA 24 - DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES

24.21.01 – RULES OF THE IDAHO STATE CONTRACTORS BOARD

DOCKET NO. 24-2101-2501

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(1)(g), Idaho Code, and Section 54-5206(1), Idaho Code.

MEETING SCHEDULE: A public hearing 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

Tuesday, June 10th, 2025 at 9:00 a.m. (MT) Virtual Meeting Link to be posted publicly at later date

Division of Occupational and Professional Licenses Eagle Rock Room, Chinden Campus Building 4 11341 W. Chinden Blvd., Bldg. #4 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:

An amendment to Rule 400 regarding a potential increase in fees to address the State Contractors Board's cash balances.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING DRAFT COPIES: For assistance on technical questions concerning this negotiated rulemaking, contact Kolby Reddish, Lead Counsel, 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/.

DIVISION OF OCCUPATIONAL & PROFESSIONAL LICENSES Rules of the Idaho State Contractors Board

Docket No. 24-2101-2501 Negotiated 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 7th day of May, 2025.

Kolby Reddish Lead Counsel 11341 W. Chinden Blvd., Bldg. #4 Boise, ID 83714

Phone: (208) 577-2491

Email: kolby.reddish@dopl.idaho.gov

IDAPA 24 - DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES

24.22.01 – RULES OF THE IDAHO STATE LIQUEFIED PETROLEUM GAS SAFETY BOARD DOCKET NO. 24-2201-2501

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(1)(g), Idaho Code, and Section 54-5310(11), Idaho Code.

MEETING SCHEDULE: A public hearing 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.

24.22.01 - Rules of the Idaho State Liquefied Petroleum Gas Safety Board

Tuesday, June 3rd, 2025 at 9:00 a.m. (MT) Virtual Meeting Link to be posted publicly at a later date

Division of Occupational and Professional Licenses Eagle Rock Room, Chinden Campus Building 4 11341 W. Chinden Blvd., Bldg. #4 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:

An amendment to Rule 400 regarding a potential increase in fees to address the Liquefied Petroleum Gas Safety Board's cash balances.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING DRAFT COPIES: For assistance on technical questions concerning this negotiated rulemaking, contact Kolby Reddish, Lead Counsel, 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/.

DIVISION OF OCCUPATIONAL & PROFESSIONAL LICENSES Rules of the Idaho State Liquefied Petroleum Gas Safety Board

Docket No. 24-2201-2501 Negotiated 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 7th day of May, 2025.

Kolby Reddish Lead Counsel 11341 W. Chinden Blvd., Bldg. #4 Boise, ID 83714

Phone: (208) 577-2491

Email: kolby.reddish@dopl.idaho.gov

IDAPA 24 - DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES

24.28.01 – RULES OF THE BARBER AND COSMETOLOGY SERVICES LICENSING BOARD DOCKET NO. 24-2801-2501

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(1)(g), Idaho Code, and Section 54-5807(1)(h), Idaho Code.

MEETING SCHEDULE: A public hearing 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.

24.28.01 – Rules of the Barber and Cosmetology Services Licensing Board

Tuesday, May 20, 2025 – 10:00 a.m. (MT) Virtual Meeting Link to be posted publicly at a later date.

Division of Occupational and Professional Licenses Coolwater Room, Chinden Campus Building 4 11341 W. Chinden Blvd., Bldg. #4 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:

An amendment to Rule 400 regarding a potential increase in fees to address the Barber and Cosmetology Services Licensing Board's cash balances.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING DRAFT COPIES: For assistance on technical questions concerning this negotiated rulemaking, contact Kolby Reddish, Lead Counsel, 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/.

DIVISION OF OCCUPATIONAL & PROFESSIONAL LICENSES Rules of the Barber & Cosmetology Services Licensing Board

Docket No. 24-2801-2501 Negotiated 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 7th day of May, 2025.

Kolby Reddish Lead Counsel 11341 W. Chinden Blvd., Bldg. #4 Boise, ID 83714 Phone: (208) 577-2491

Email: kolby.reddish@dopl.idaho.gov

IDAPA 26 – IDAHO DEPARTMENT OF PARKS AND RECREATION

26.01.20 – RULES GOVERNING THE ADMINISTRATION OF PARK AND RECREATION AREAS AND FACILITIES

DOCKET NO. 26-0120-2501

NOTICE OF INTENT TO PROMULGATE RULES – ZERO-BASED REGULATION (ZBR) NEGOTIATED RULEMAKING

AUTHORITY: In compliance with Section 67-5220, Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment and input prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Sections 67-4223 and 67-4249 Idaho Code.

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

Wednesday, June 4, 2025 2:00 p.m. to 3:00 p.m. (MT)

Meeting held via video conference: Click here to join the meeting Meeting ID: 270 201 224 362 Passcode: dx25mh2v Download Teams | Join on the web

Dial in by phone +1 208-985-2810,,421294076# United States, Boise Find a local number Phone conference ID: 421 294 076#

> Join on a video conferencing device Tenant key: idahogov@m.webex.com Video ID: 116 410 569 9

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 meeting via web conferencing. For those who cannot participate in the meeting, 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: The following is a statement in nontechnical language of the substance and purpose of the intended negotiated rulemaking and the principal issues involved:

The Department is considering changes that remove outdated references, clarify unclear language, update fees to align with economic climate, and remove administrative burdens. The Department is adding language to enforce violations that were previously removed. It is anticipated that rulemaking stakeholders will propose and advocate for rulemaking changes as part of the negotiated rulemaking process. The Department 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, MEETING ACCOMMODATIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING DRAFT COPIES: For assistance on technical questions concerning this negotiated rulemaking, requests for special meeting accommodations or accessibility, or to obtain a preliminary draft copy of the rule text (if available), contact Seth Hobbs, (208) 514-2427, seth.hobbs@idpr.idaho.gov. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the department's website at the following web address: https://parksandrecreation.idaho.gov/.

Anyone may submit written comments regarding this negotiated rulemaking. All written comments must be directed to the undersigned and must be delivered on or before June 04, 2025.

DATED this April 29, 2025.

Seth Hobbs, Idaho Department of Parks and Recreation 5657 Warm Springs Ave. Boise, ID 83716 Phone: (208) 514-2427

IDAPA 26 – IDAHO DEPARTMENT OF PARKS AND RECREATION

26.01.21 – RULES GOVERNING LEASING PRACTICES AND PROCEDURES FOR RECREATIONAL RESIDENCES WITHIN HEYBURN STATE PARK

DOCKET NO. 26-0121-2501

NOTICE OF INTENT TO PROMULGATE RULES – ZERO-BASED REGULATION (ZBR) NEGOTIATED RULEMAKING

AUTHORITY: In compliance with Section 67-5220, Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment and input prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Sections 67-4223 and 67-4249 Idaho Code.

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

Wednesday, June 4, 2025 2:00 p.m. to 3:00 p.m. (MT)

Meeting held via video conference: Click here to join the meeting Meeting ID: 270 201 224 362 Passcode: dx25mh2v Download Teams | Join on the web

Dial in by phone +1 208-985-2810,,421294076# United States, Boise Find a local number Phone conference ID: 421 294 076#

> Join on a video conferencing device Tenant key: idahogov@m.webex.com Video ID: 116 410 569 9

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 meeting via web conferencing. For those who cannot participate in the meeting, 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:

The Department is considering changes that remove outdated references and clarify unclear language. It is anticipated that rulemaking stakeholders will propose and advocate for rulemaking changes as part of the negotiated rulemaking process. The Department 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, requests for special meeting accommodations or accessibility, or to obtain a preliminary draft copy of the rule text (if available), contact Seth Hobbs (208) 514-2427 seth hobbs@idpridaho.gov Materials pertaining to the negotiated rulemaking

Seth Hobbs, (208) 514-2427, seth.hobbs@idpr.idaho.gov. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the department's website at the following web address: https://parksandrecreation.idaho.gov/.

Anyone may submit written comments regarding this negotiated rulemaking. All written comments must be directed to the undersigned and must be delivered on or before June 04, 2025.

DATED this 29th day of April, 2025.

Seth Hobbs, Idaho Department of Parks and Recreation 5657 Warm Springs Ave. Boise, ID 83716 Phone: (208) 514-2427

IDAPA 35 – STATE TAX COMMISSION

35.01.02 - IDAHO SALES AND USE TAX ADMINISTRATIVE RULES

DOCKET NO. 35-0102-2501

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 63-105, Idaho Code.

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

Wednesday, June 4, 2025 at 1:00 p.m. (MT)

In Person:
Idaho State Tax Commission
11321 W Chinden Blvd., Bldg. 2
Boise, ID 83714
(Meeting to be held in the Coral Conference Room)

Teleconference via WebEx: Join from the meeting link:

https://idahogov.webex.com/idahogov/j.php?MTID=m359a7f0af22a5aed52269a15709d8911

Meeting number (access code): 2868 196 6901

Meeting password: Z53e9N8VYqW

Join by phone: +1-415-655-0001 US Toll When prompted please enter Passcode: 2868 196 6901

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. Meetings will conclude after 15 minutes if no participants sign in or wish to comment in the meeting.

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

- Attend the negotiated rulemaking meeting(s), in person or through teleconference, and participate in the negotiation process;
- Provide oral or written recommendations, or both, at a negotiated rulemaking meeting; or
- Submit written comments to the address or email 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 State Tax Commission will perform a critical and comprehensive review of the statutes and existing rules chapter. We will rewrite this chapter under the premise of zero-based rulemaking, as per Executive Order 2020-01: Zero Based Rule 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 (if available), contact Philip Johnson at philip.johnson@tax.idaho.gov or (208) 334-7505. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the Tax Commission website at the following web address: https://tax.idaho.gov/governance/rules/rules-sales-tax-rules-committee/.

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 15, 2025.

DATED this 7th day of May, 2025.

Kimberlee Stratton, Rules Coordinator Idaho State Tax Commission 11321 W. Chinden Blvd., Bldg. 2, Boise ID 83714 PO Box 36. Boise ID 83722-0036 kimberlee.stratton@tax.idaho.gov (208) 334-7544

IDAPA 35 – STATE TAX COMMISSION

35.01.06 – HOTEL/MOTEL ROOM AND CAMPGROUND SALES TAX ADMINISTRATIVE RULES DOCKET NO. 35-0106-2501

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 63-105, Idaho Code.

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

Wednesday, June 4, 2025 at 1:00 p.m. (MT)

In Person:
Idaho State Tax Commission
11321 W Chinden Blvd., Bldg. 2
Boise, ID 83714
(Meeting to be held in the Coral Conference Room)

Teleconference via WebEx: Join from the meeting link:

https://idahogov.webex.com/idahogov/j.php?MTID=m359a7f0af22a5aed52269a15709d8911

Meeting number (access code): 2868 196 6901

Meeting password: Z53e9N8VYqW

Join by phone: +1-415-655-0001 US Toll When prompted please enter Passcode: 2868 196 6901

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. Meetings will conclude after 15 minutes if no participants sign in or wish to comment in the meeting.

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

- Attend the negotiated rulemaking meeting(s), in person or through teleconference, and participate in the negotiation process,
- Provide oral or written recommendations, or both, at a negotiated rulemaking meeting, or,
- Submit written comments to the address or email 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 State Tax Commission will perform a critical and comprehensive review of the statutes and existing rules chapter. We will rewrite this chapter under the premise of zero-based rulemaking, as per Executive Order 2020-01: Zero Based Rule 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 (if available), contact Philip Johnson at philip.johnson@tax.idaho.gov or (208) 334-7505. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the Tax Commission website at the following web address: https://tax.idaho.gov/governance/rules/rules-sales-tax-rules-committee/.

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 15, 2025.

DATED this 7th day of May, 2025.

Kimberlee Stratton, Rules Coordinator Idaho State Tax Commission 11321 W. Chinden Blvd., Bldg. 2, Boise ID 83714 PO Box 36. Boise ID 83722-0036 kimberlee.stratton@tax.idaho.gov (208) 334-7544

IDAPA 38 – IDAHO DEPARTMENT OF ADMINISTRATION

38.04.04 – RULES GOVERNING CAPITOL MALL PARKING

DOCKET NO. 38-0404-2501

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 Section(s) 67-5708, Idaho Code, and Senate Concurrent Resolution No.135 (1976).

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

Monday, June 1, 2025 1:00 p.m. (MT)

Idaho Department of Administration Peregrine Room 650 W State St. Room 160 Boise, Idaho 83720

To attend via Microsoft Teams:
Join the meeting now
Meeting ID: 216 910 673 2370
Passcode: LB2wn7PH

Wednesday, June 4, 2025 1:00 p.m. (MT)

Idaho Department of Administration Peregrine Room 650 W State St. Room 160 Boise, Idaho 83720

To attend via Microsoft Teams:
Join the meeting now
Meeting ID: 266 259 852 916
Passcode: 3Ev7HS2T

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 any of the following:

- 1. Attend the negotiated rulemaking meeting as scheduled above;
- 2. Provide oral or written recommendations, or both, at the negotiated rulemaking meeting;
- 3. Submit written recommendations and comments to this address below.

Director Bailey, Idaho Department of Administration Phone: (208) 332-1824 P. O. Box 83720 Boise, ID 83720

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

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

The Department is holding negotiated rulemaking meetings on this chapter to update and revise Capitol Mall Parking. Topics include, but are not limited to, the following: Capitol Mall Parking; definitions; parking lot locations; type of parking; parking space allocation; parking permits; parking permit fees; parking lot violations; enforcement; suspension or revocation of parking privileges; surrender of parking permits; loading zone parking spaces; and waiver of rules.

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 Kim Rau at 208-332-1824. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the Department's website at the following web address: www.adm.idaho.gov.

Anyone may submit written comments regarding this negotiated rulemaking. All written comments must be directed to the undersigned and must be delivered on or before June 25, 2025.

DATED this 4th day of April, 2025.

Steve Walker, Deputy Director
Department of Administration
650 W State St. Rm 100
PO Box 83720
Boise, Idaho 83720
208-332-1824
DirectorsOffice@adm.idaho.gov / www.adm.idaho.gov

IDAPA 39 – IDAHO TRANSPORTATION DEPARTMENT

39.02.60, 39.03.49 – LICENSE PLATE PROVISIONS; IGNITION INTERLOCK DEVICES DOCKET NO. 39-ZBRR-2501

OMNIBUS 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 49-201(1) and 18-8008(4), Idaho Code.

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

Wednesday, May 21, 2025 1:00 p.m. to 3:00 p.m. (MT)

In-person participation is available at:
ITD Headquarters
11331 W Chinden Blvd., Boise, ID 83714 - Building 8
Broadway Conference Room

Participation via phone or Microsoft Teams is also available:

Join the meeting now
Meeting ID: 272 770 143 766
Passcode: Ff9qd2U6
Dial in by phone
+1 208-473-7075,,422794678# United States, Boise
Find a local number

Phone conference ID: 422 794 678#
Join on a video conferencing device
Tenant key: itdgov@m.webex.com
Video ID: 119 607 118 1
More info

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

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

Participate in-person or by phone or Microsoft Teams according to the table in this notice.

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

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

This negotiated rulemaking meeting will invite discussion on one Department of Motor Vehicle Zero-Based Regulation (ZBR) rule chapters and one standalone rule chapter to be reviewed this summer by the Idaho Transportation Department. In support of the Governor's Red Tape Reduction initiative and in accordance with the Zero-Based Regulation E. O. 2020-01 and the Department's 5-year review schedule, the goal of these rulemakings is to make changes and modifications that remove obsolete language, eliminate unnecessary restrictions and provide clarity to the respective chapters.

The following IDAPA rule chapters are germane to this negotiated rulemaking notice:

- 39.02.60 Rules Governing License Plate Provisions; and
- 39.03.49 Rules Governing Ignition Interlock Devices.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING DRAFT COPIES: For assistance on technical questions concerning this negotiated rulemaking or to obtain a preliminary draft copy of the rule text (if available), please contact please contact Brendan Floyd, Policy Specialist, at 208-334-8474. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the Idaho Transportation Department's website at the following web address: https://itd.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 Friday, June 20, 2025.

DATED this 7th Day of May, 2025.

Brendan Floyd Office of Governmental Affairs Idaho Transportation Department 11331 W. Chinden Blvd. Boise, ID 83714 Phone: 208-334-8810

brendan.floyd@itd.idaho.gov

IDAPA 52 – IDAHO STATE LOTTERY

52.01.03 – RULES GOVERNING OPERATIONS OF THE IDAHO STATE LOTTERY DOCKET NO. 52-0103-2501

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 Section 67-5224(2)(c), Idaho Code.

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

Wednesday, May 28, 2025 2:00 p.m (MT) Join by meeting link Meeting ID: 837 4611 0533 Passcode: 107208 Wednesday, June 18, 2025 2:00 p.m (MT) Join by meeting link Meeting ID: 883 0898 5138 Passcode: 657379

Or join in person at:

Idaho Lottery Office 1199 Shoreline Lane, Suite 100 Boise, ID 83702

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:

Interested persons wishing to participate in the negotiated rulemaking are encouraged to submit comments to the undersigned either in writing, by email, or by calling the phone number listed below. To participate, comments must be received no later than May 21 2025, to aarulanandam@lottery.idaho.gov. Please state "written comment" and note the docket number in the subject line.

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:

In accordance with Governor Brad Little's Executive Order 2020-01: Zero-Based Regulation (ZBR), the Idaho Lottery will reduce regulatory burdens by removing costly, inefficient, or outdated regulations.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING DRAFT COPIES: For assistance with technical questions concerning this negotiated rulemaking or to obtain a preliminary draft copy of the rule text (if available), contact Director Andrew Arulanandam, listed below. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the Idaho Lottery website at the following web address: www.idaholottery.com.

IDAHO STATE LOTTERY Rules Governing Operations of the Idaho State Lottery

Docket No. 52-0103-2501 ZBR Negotiated 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 May 21, 2025.

DATED this 10th day of April, 2025.

Andrew Arulanandam, Director Idaho State Lottery 1199 Shoreline Lane, Suite 100 Boise, ID 83702 Ph. 208.780.2500 aarulanandam@lottery.idaho.gov www.idaholottery.com

IDAPA 58 – DEPARTMENT OF ENVIRONMENTAL QUALITY

58.01.13 - RULES FOR ORE PROCESSING BY CYANIDATION DOCKET NO. 58-0113-2500 NOTICE OF REVOCATION OF FINAL RULE

EFFECTIVE DATE: The effective date of this action is March 31, 2025.

AUTHORITY: In compliance with Sections 67-5202(2), Idaho Code, 67-5203(4)(d), Idaho Code, and 67-5204(b)-(c), Idaho Code, and Senate Bill 1170, notice is hereby given that the Office of the Administrative Rules Coordinator has taken action to revise Idaho's Administrative Code to remove certain rules that have been repealed by an act of the Idaho Legislature.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for publishing this notice:

The Idaho Legislature passed Senate Bill 1170 with broad support and Governor Little signed it into law on March 31, 2025. This legislation updated Idaho Code to establish requirements to ensure that cyanidation facilities contain, control, and treat cyanidation process water, spent ore, tailings and other materials to prevent discharges of cyanidation pollutants. This legislation moved administrative rules into statute and updated the regulatory framework for the application process to provide clarity and align with current and modern industry standards. Section 3 contained a sunset clause that made parts of IDAPA 58.01.13 null, void, and of no force and effect on and after passage and approval of Senate Bill 1170. Specifically, the following sections and subsections of IDAPA 58.01.13 are null, void, and no force and effect:

- Subsection 100.04;
- Section 300:
- Section 400;
- Section 450; and
- Section 550.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance with technical questions concerning the revocation of this final rule, contact Lauren Smyser at (208)854-3097.

DATED this 7th day of May, 2025.

Brad Hunt Administrative Rules Coordinator Office of the Administrative Rules Coordinator Division of Financial Management P.O. Box 83720, Boise, ID §3720-0032 Phone: (208) 854-3096

adminrules@dfm.idaho.gov

Sections Affected Index

IDAPA 13 – IDAHO DEPARTMENT (13.01.08 – Rules Governing Taking of Big Docket No. 13-0108-2501 850. Use Of Bait By A Grizzly Bear	
IDAPA 15 – OFFICE OF THE GOVE IDAHO PUBLIC SAFET	RNOR / MILITARY DIVISION – TY COMMUNICATIONS COMMISSION
15.06.01 – Rules Governing the Idaho Pu Docket No. 15-0601-2501	blic Safety Communications Commission
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102. Application	4
103. Award Eligibility Requirements	5
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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 May 21, 2025, unless otherwise posted.

The proposed rule written comment submission deadline is May 28, 2025, unless otherwise posted.

(Temp & Prop) indicates the rulemaking is both Temporary and Proposed.

(*PH) indicates that a public hearing has been scheduled.

IDAPA 15 – OFFICE OF THE GOVERNOR IDAHO MILITARY DIVISION / IDAHO PUBLIC SAFETY COMMUNICATIONS COMMISSION 4040 Guard St., Gowen Field, Boise, ID 83705

*15-0601-2501, Rules Governing the Idaho Public Safety Communications Commission. (Temp & Prop) (*PH) Rule changes modernize degraded 911 infrastructure and systems through the more efficient use of existing Emergency Communications Grant Fees. Removal of six unutilized application criteria reduces regulatory burden to both applicants and Commission.

EXECUTIVE ORDERS OF THE GOVERNOR

2025-04, Make Forests Healthy Again Act

NOTICE OF ADOPTED / AMENDED PROCLAMATION(S)

IDAPA 13 – IDAHO FISH AND GAME COMMISSION

13-0000-2500P2, Establishing Seasons and Limits for Hunting, Fishing, and Trapping in Idaho

NOTICE OF ADOPTION OF TEMPORARY RULE ONLY

IDAPA 13 – IDAHO DEPARTMENT OF FISH AND GAME

13-0108-2501, Rules Governing Taking of Big Game Animals

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 – DEPARTMENT OF AGRICULTURE

02-0103-2501, Airborne Control of Unprotected or Predatory Animals Rules

02-0105-2501, Rules Governing Certificates of Free Sale

02-0108-2501, Rules Governing Grizzly Bear and Wolf Depredation

02-0205-2501, Rules Governing Stone Fruit Grades

02-0207-2501, Rules Governing Bulk Permits and Retail Sale of Potatoes

02-0211-2501, Rules Governing Eggs and Egg Products

02-0214-2501, Rules for Weights and Measures

02-0420-2501, Rules Governing Brucellosis

02-0424-2501, Rules Governing Tuberculosis

02-0426-2501, Rules Governing the Public Exchange of Livestock

02-0601-2501, Rules Governing the Production and Distribution of Seed

02-0701-2501, Rules of the Idaho Hop Growers' Commission

IDAPA 13 – IDAHO DEPARTMENT OF FISH AND GAME

13-0103-2501, Public Use of Lands Owned or Controlled by the Department of Fish and Game 13-0119-2501, Rules for Selecting, Operating, Discontinuing, and Suspending Vendors

IDAPA 18 – IDAHO DEPARTMENT OF INSURANCE

18-ZBRR-2501, Agency Omnibus ZBR Negotiated Rulemaking promulgates Title 04, Chapters 05, 06, 11-15; and Title 06, Chapter 05.

IDAPA 24 - DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES

24-0601-2501, Rules for the Licensure of Occupational Therapists and Occupational Therapy Assistants

24-1301-2501, Rules Governing the Physical Therapy Licensure Board

24-1701-2501, Rules of the State Board of Acupuncture

24-2101-2501, Rules of the Idaho State Contractors Board

24-2201-2501, Rules of the Idaho State Liquefied Petroleum Gas Safety Board

24-2801-2501, Rules of the Barber and Cosmetology Services Licensing Board

IDAPA 26 – IDAHO DEPARTMENT OF PARKS AND RECREATION

26-0120-2501, Rules Governing the Administration of Park and Recreation Areas and Facilities 26-0121-2501, Rules Governing Leasing Practices and Procedures for Recreational Residences Within Heyburn State Park

IDAPA 35 – STATE TAX COMMISSION

35-0102-2501, Idaho Sales and Use Tax Administrative Rules 35-0106-2501, Hotel/Motel Room and Campground Sales Tax Administrative Rules

IDAPA 38 – IDAHO DEPARTMENT OF ADMINISTRATION

38-0404-2501, Rules Governing Capitol Mall Parking

IDAPA 39 – IDAHO TRANSPORTATION DEPARTMENT

39-ZBRR-2501, Agency Omnibus ZBR Negotiated Rulemaking promulgates Title 02, Chapter 60; and Title 03, Chapter 49.

IDAPA 52 – IDAHO STATE LOTTERY

52-0103-2501, Rules Governing Operations of the Idaho State Lottery

Please refer to the Idaho Administrative Bulletin May 7, 2025, Volume 25-5, 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 10, 2024 – May 7, 2025

(PLR 2025) – Final Effective Date Is Pending Legislative Review in 2025
(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

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02.01.05, Rules Governing Certificates of Free Sale
     02-0105-2501 Notice of Intent to Promulgate Rules - Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 25-5
02.01.08, Rules Governing Grizzly Bear and Wolf Depredation
     02-0108-2501 Notice of Intent to Promulgate Rules - Negotiated Rulemaking (New Chapter), Bulletin Vol. 25-5
     02-0108-2401 Adoption of Temporary Rule, Bulletin Vol. 24-12 (eff. 11-12-24)T
02.02.05, Rules Governing Stone Fruit Grades
     02-0205-2501 Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 25-5
02.02.07, Rules Governing Bulk Permits and Retail Sale of Potatoes
     02-0207-2501 Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 25-5
02.02.11, Rules Governing Eggs and Egg Products
     02-0211-2501 Notice of Intent to Promulgate Rules - Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 25-5
02.02.12, Bonded Warehouse Rules
     02-0212-2401 Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 25-1 (PLR 2025)
     02-0212-2401 Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-10
     02-0212-2401 Notice of Intent to Promulgate Rules - Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-7
02.02.14, Rules for Weights and Measures
    02-0214-2501 Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 25-5
    02-0214-2401 Adoption of Pending Rule, Bulletin Vol. 25-1 (PLR 2025)
    02-0214-2401 Notice of Proposed Rulemaking, Bulletin Vol. 24-10
02.03.01, Rules Governing Pesticide Management Plans for Ground Water Protection
     02-0301-2401 Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 25-1 (PLR 2025)
     02-0301-2401 Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-10
     02-0301-2401 Notice of Intent to Promulgate Rules - Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-7
02.03.03, Rules Governing Pesticide and Chemigation Use and Application
    02-0303-2402 Adoption of Pending Rule, Bulletin Vol. 25-1 (PLR 2025)
    02-0303-2402 Notice of Temporary and Proposed Rule, Bulletin Vol. 24-7 (eff. 7-1-24)T
     02-0303-2401 Adoption of Temporary Rule, Bulletin Vol. 24-5 (eff. 4-22-24)T [expires 7-1-24]
02.04.03, Rules Governing Animal Industry
     02-0403-2401 Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 25-1 (PLR 2025)
     02-0403-2401 Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-10
     02-0403-2401 Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-7
02.04.05, Rules Governing Grade A Milk and Manufacture Grade Milk
     02-0405-2401 Adoption of Pending Rule, Bulletin Vol. 25-1 (PLR 2025)
     02-0405-2401 Notice of Proposed Rulemaking, Bulletin Vol. 24-10
02.04.15, Rules Governing Beef Cattle Animal Feeding Operations
    02-0415-2401 Adoption of Pending Rule, Bulletin Vol. 25-1 (PLR 2025)
     02-0415-2401 Notice of Proposed Rulemaking, Bulletin Vol. 24-10
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02.04.19, Rules Governing Domestic Cervidae

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02.06.02, Rules 02-0602-2401 02-0602-2401	
	Governing Invasive Species and Noxious Weeds
02-0609-2406	Adoption of Temporary Rule, Bulletin Vol. 24-12 (eff. 11-9-24)T
02-0609-2405	Adoption of Temporary Rule, Bulletin Vol. 24-11 (eff. 10-7-24)T [superseded]
02-0609-2404	Adoption of Temporary Rule, Bulletin Vol. 24-10 (eff. 9-26-24)T [superseded]
02-0609-2403	Adoption of Temporary Rule, Bulletin Vol. 24-8 (eff. 6-28-24)T [superseded]
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02-0609-2401	Adoption of Temporary Rule, Bulletin Vol. 24-4 (eff. sine die 2024)T [superseded]
02.06.33, Organ	nic Food Products Rules
02-0633-2401	
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02.08.01, Sheep	and Goat Rules of the Idaho Sheep and Goat Health Board
02-0801-2401 02-0801-2401 02-0801-2401	Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-10

IDAPA 04 - OFFICE OF THE ATTORNEY GENERAL

04.11.01, Idaho Rules of Administrative Procedure of the Attorney General

44-0000-2400 Notice of Omnibus Rulemaking – Revocation of Final Rule – Certain provisions rendered null and void pertaining to IDAPA chapter 04.11.01 – Bulletin Vol. 24-7

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

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