

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 related, pertinent information concerning their intent to change or make the following rules in the latest publication of the state Administrative Bulletin.

*The written comment submission deadline is October 27, 2010 unless otherwise listed.
(Temp & Prop) indicates the rule is both temporary and proposed.
(*PH) indicates that a public hearing has been scheduled.*

IDAPA 02 - DEPARTMENT OF AGRICULTURE PO Box 790, Boise, ID 83701-0790

02-0104-1001, Rules Governing the Idaho Preferred® Promotion Program. Makes non-food product qualifications consistent with processed food product qualifications and changes the qualifications for processed pork products to allow for ground pork or sausage to be produced from hogs over one year of age.

02-0419-1001, Rules Governing Domestic Cervidae. Clarifies the annual per head fee collection process on domestic cervidae; proposes ranch management plans as a method of administering the domestic cervidae program more efficiently.

02-0421-1002, Rules Governing the Importation of Animals. Lowers the age of virgin bulls for import into Idaho from 24 months or less to less than 12 months; clarifies exemption for testing of rodeo bulls; exempts bulls imported for exhibition purposes from testing; clarifies age of rodeo stock required to be tested for tuberculosis prior to import.

02-0429-1001, Rules Governing Trichomoniasis. Lowers the age of a virgin bull for import purposes from 24 months or less to less than 12 months; requires a hot iron T brand be applied to test positive animals rather than an orange paint T brand; removes allowance for rodeo producers to purchase non-tested bulls that were intended to be sold to slaughter only; and requires culture positive animals to be confirmed positive by Polymerase Chain Reaction.

02-0602-1001, Rules Pertaining to the Idaho Commercial Feed Law. Incorporates by reference the 2011 Official Publication of the Association of American Feed Control Officials; clarifies definition of "Primary Display Panel" to include front, back and side of packaging; clarifies proper method for listing feed ingredients on commercial feed labels; allows the use of a guaranteed analysis with an ingredient statement in the labeling of customer-formula feeds; and clarifies that a violation of a Stop Sale, Use, or Removal Order is a violation of state law and rule.

02-0612-1001, Rules Pertaining to the Idaho Fertilizer Law. Incorporates by reference the 2011 Official Publication of the Association of American Plant Food Control Officials; permits "net volume" guarantees on liquid fertilizer labels; corrects references to "Brand" registration as brands are no longer required to be registered; prohibits sliding-scale guarantees on fertilizer labels; and allows multi-use labeling of fertilizers.

02-0616-1001, Crop Residue Disposal Rules. Chapter repeal - program moved to DEQ.

02-0633-1001, Organic Food Product Rules. Incorporates by reference the June 25, 2010 version of the National Organic Program Regulations, 7 CFR Part 250; ISDA will no longer offer certification seal stickers for certified organic products to prevent the misuse of the certification seal; changes all references from "gross organic income" to "gross organic sales" to clarify the fee requirements.

02-0641-1001, Rules Pertaining to the Idaho Soil and Plant Amendment Act of 2001. Incorporates by reference the 2011 Official Publication of the Association of American Plant Food Control Officials; allows a guaranteed analysis of plant nutrients on labels of potting soils, landscape and garden soils that contain only levels of fertilizer sufficient to initiate growth; and allows for multi-use labeling of soil amendment and plant amendment products.

IDAPA 03 - ATHLETIC COMMISSION
700 W. State St., Boise, ID 83702

03-0101-1001, Rules of the State Athletic Commission. (Temp & Prop) Complies with HB 684 to establish application, initial review, and annual review fees for amateur sanctioning organizations; addresses non-payment of amateurs; establishes and clarifies health insurance requirements for combatants; clarifies the requirement for a bond or other security.

IDAPA 07 - DIVISION OF BUILDING SAFETY
PO Box 83720, Boise, ID 83720-0048

07-0103-1001, Rules of Electrical Licensing and Registration - General. (Temp & Prop) Requires 5-year registration period for electrical apprentices who must provide evidence of completion of the required number of employment and instructional hours to be eligible to take the journeyman exam; allows an apprentice to take the journeyman exam upon completion of 3 years of work experience (6,000 hours) if schooling completed; clarifies what a qualified apprenticeship program is for the exemption to work experience categories.

07-0104-1001, Rules Governing Electrical Specialty Licensing. (Temp & Prop) Establishes a specialty license category for outside wiremen.

07-0107-1001, Rules Governing Continuing Education Requirements. Requires each journeyman and master electrician to receive a total of 24 hours of continuing education training every 3 years and specifies that 16 hours will be in NEC code updates and 8 hours in industry-related training.

07-0205-1001, Rules Governing Plumbing Safety Licensing. (Temp & Prop) Allows practical portion of the plumbing journeyman exam to be performed in either a laboratory setting or on a job in-progress and that exam will consist of work performed in either a residential or commercial application on plumbing installations as determined by the Division.

07.03.01 - Rules of Building Safety

07-0301-1001, Amends the 2009 International Residential Code by eliminating a provision addressing live/work units to clarify that they do not require fire sprinkling; and amends provisions relating to fences and prefabricated swimming pools; amends the International Energy Conservation Code by adding provisions to address the thermal envelope of log homes.

07-0301-1002, Fee rule allows plans to be submitted for review in an acceptable format, including electronic, if legible enough to determine conformity with applicable codes; amends the technical service and system submittal plan review fee to the cost of providing such services; provides a more specific fee schedule for construction work above \$1,000,000 and codifies the DBS permit fee refund policy; charges for plan review fee services will be at an hourly rate with a minimum required fee.

07-0311-1001, Rules Governing Manufactured/Mobile Home Industry Licensing. Requires 8 hours of initial education and 4 hours of continuing education for original and renewal licensure for manufactured/mobile homes installers.

07-0402-1001, Safety Rules For Elevators, Escalators, and Moving Walks. Clarifies that equipment, components, or systems installed on an elevator that are not expressly required by the currently adopted code must function properly or be removed.

07-0701-1001, Rules Governing Installation of Heating, Ventilation, and Air Conditioning Systems. Adopts by reference the 2009 editions, with amendments, of the International Mechanical Code (IMC), International Fuel Gas Code (IFGC), and International Residential Code (IRC), and retains the previously adopted amendments thereto.

IDAPA 08 - BOARD OF EDUCATION/DEPARTMENT OF EDUCATION
PO Box 83720, Boise, ID 83720-0037

08-0111-1001, Registration of Postsecondary Educational Institutions and Proprietary Schools. Board will recognize regional and institutional accreditation organizations that are recognized by and in good standing with the US Dept. of Education and the Council for Higher Education Accreditation and eliminates the list of specific regional accrediting entities; no longer requires a new application if school wants to add courses during the registration period but a notification of additional courses; all advertising material for proprietary schools must accurately represent the school's purpose.

08.02.02 - Rules Governing Uniformity

08-0202-1002, Reorganizes the technology requirements within the rule; adds requirements for the Idaho Comprehensive Literacy assessment.

***08-0202-1003, (*PH)** Updates incorporation by reference of various content areas in the Idaho Standards for the Initial Certification of Professional School Personnel and pre-service teacher technology standards.

***08-0202-1004, (*PH)** (Temp & Prop) Allows the Mathematical Thinking for Instruction course to count towards the 3-credit recertification requirement regardless of whether the credits appear on an official college transcript.

08.02.03 - Rules Governing Thoroughness

***08-0203-1001, (*PH)** Updates incorporation by reference of the Limited English Proficiency standards; requires schools to increase graduation rate by at least 2% each year when they do not meet the target of 90%.

08-0203-1002, Requires school districts to notify all students who fail the 10th grade ISAT of the availability of an alternate route to graduation.

***08-0203-1003, (*PH)** Updates the incorporation by reference into the Idaho Content Standards the following standards: English language arts, mathematics, and information and communication technology; requires each school district to have a comprehensive district wide policy and procedure encompassing the use of restraint, seclusion and other aversive techniques.

***08-0203-1004, (*PH)** (Temp & Prop) Removes passing of the 10th grade Science ISAT from the states graduation requirements; allows more time for initial evaluation and determination of need for special education and related services and to develop and implement an individualized education program for a student; requires district to send assessment results and related communication to parents within 3 weeks of receiving the results from the state; establishes the pilot project permitting certain students in certain public schools to proceed through school curriculum at their own pace, defines program participants and assessments.

IDAPA 11 - IDAHO STATE POLICE
700 S. Stratford Dr., Meridian, ID 83642

11-0301-1001, Rules Governing Alcohol Testing. (Temp & Prop) Clarifies that ISP approves the breath alcohol testing solution provided by the manufacturer and not the individual vendors and that breath alcohol testing is administered on the site of the traffic stop or at a police agency, not in a lab.

11-1001-1001, Rules Governing Idaho Public Safety and Security Information System. Provides for proxy appointments for establishing a quorum at ILETS Board meetings and defines the allowable proxies.

11.11.01 - Rules of the Idaho Peace Officer Standards and Training Council

11-1101-1001, Changes the title of the POST Executive Director position to POST Division Administrator and makes this position non-classified; changes the hiring process for the POST Division Administrator and provides clarity in the areas of hiring, supervision, accountability and administration.

11-1101-1002, Eliminates restriction on Hearing Board appointments; clarifies minimum standards and documentation requirements; changes hardship requirement for closed campus exemption; removes specific curricula; provides POST graduates same challenge opportunities as vo-tech graduates; removes grace period for canine team certification; updates instructor certification requirements; establishes suspension of certification for non-compliance with continuing training requirement.

11-1102-1001, Rules of the Idaho Peace Officer Standards and Training Council for Juvenile Detention Officers. Establishes timelines for the lapse of Juvenile Detention officer certification and the requirements for reactivating certification.

11-1103-1001, Rules of the Idaho Peace Officer Standards and Training Council for Juvenile Probation Officers. Establishes minimum standards for training and certification of part-time Juvenile Probation Officers; establishes timelines for the lapse of Juvenile Probation officer certification and the requirements for reactivating certification.

11-1104-1001, Rules of the Idaho Peace Officer Standards and Training Council for Correction Officers and Adult Probation and Parole Officers. Clarifies minimum standards and documentation requirements; gives the POST Division Administrator additional authority to consider requests for hearing and vision waivers.

11-1105-1001, Rules of the Idaho Peace Officer Standards and Training Council for Idaho Department of Juvenile Corrections Direct Care Staff. Revises timelines for the lapse of Juvenile Corrections Direct Care Staff certification to align with other disciplines POST certifies.

11-1106-1001, Rules of the Idaho Peace Officer Standards and Training Council for Misdemeanor Probation Officers. New rule chapter establishes the minimum standards for employment, training, and certification for Misdemeanor Probation Officers.

IDAPA 13 - IDAHO FISH AND GAME COMMISSION

PO Box 25, Boise, Idaho 83707

13-0116-1002, The Trapping of Predatory and Unprotected Wildlife and the Taking of Furbearing Animals. (Temp & Prop) Establishes rules for placement of traps and snares near public travel ways.

IDAPA 15 - OFFICE OF THE GOVERNOR

DIVISION OF HUMAN RESOURCES

PO Box 83720, Boise, ID 83720-0066

15-0401-1002, Rules of the Division of Human Resources and Personnel Commission. Removes definition of "traded time"; removes references to deleted rules/areas; clarifies or removes language that conflicts with other current rules and practices.

IDAPA 16 - DEPARTMENT OF HEALTH AND WELFARE

PO Box 83720, Boise, ID 83720-0036

16-0301-1002, Eligibility for Health Care Assistance for Families and Children. (Temp & Prop) Allows any child eligible for SCHIP to be enrolled in Children's Access Card; allows verification of U.S. citizenship and identity of first-time applicants for Medicaid and SCHIP through a data match with the SSA when the SSA has previously verified citizenship and identity; updates eligibility time period for special immigrants; children eligible for coverage under Title XXI SCHIP must meet U.S. citizenship verification and identity requirements; a Medicaid eligible individual will receive services for 90 days while U.S. citizenship and identity are pending verification.

16.03.04 - Rules Governing the Food Stamp Program in Idaho

16-0304-1002, Reinstates the asset test with an increase in the amount allowed for all Food Stamp households whose assets cannot exceed \$5,000.

16-0304-1003, (Temp & Prop) Clarifies excluded income; states that special immigrants have refugee status; addresses when mail returned to Dept.; provides for an adjustment of benefits when a participant's death becomes known to the Department.

***16-0322-101, Residential Care or Assisted Living Facilities in Idaho.** (*PH) Amends the reporting requirements for incidents and accidents in residential care or assisted living facilities when allegations of abuse and neglect are reported.

16-0504-1001, Rules of the Idaho Council on Domestic Violence and Victim Assistance Grant Funding. Updates incorporation by reference of minimum standards of the Domestic Violence Batterer Treatment Program to provide an effective response to domestic violence.

***16-0612-1002, Rules Governing the Idaho Child Care Program (ICCP).** (*PH) Reorganizes chapter; removes obsolete language; clarifies how income and qualifying activity are calculated; clearly defines application time frames to streamline eligibility determinations.

16-0750-1001, Rules and Minimum Standards Governing Nonhospital, Medically-Monitored Detoxification/Mental Health Diversion Units. (Temp & Prop) Allows for a breath alcohol test to be performed on individuals being treated in addition to the blood draw alcohol test; amends the Tuberculin skin testing requirements for clients.

**IDAPA 17 - INDUSTRIAL COMMISSION
PO Box 83720, Boise, ID 83720-0041**

17-0203-1001, Administrative Rules of the Industrial Commission Under the Workers' Compensation Law - Security for Compensation. Chapter repeal.

***17-0208-1001, Miscellaneous Provisions.** (*PH) Chapter repeal.

***17-0208-1002, Miscellaneous Provisions.** (*PH) Chapter rewrite moves the conversion factors used to calculate physician fees in workers' compensation cases to chapter 17.02.09; reinstates remainder of previous rule without substantive changes.

***17-0209-1001, Medical Fees.** (*PH) New chapter adjusts the conversion factors used to calculate physician fees in workers' compensation cases to reflect changes in current market conditions, pricing and other factors; provides new workers' compensation fee schedule for hospitals and ambulatory surgery centers.

17-0210-1001, Administrative Rules of the Industrial Commission Under the Workers' Compensation Law - Security for Compensation - Insurance Carriers. New chapter clarifies terms and implements more comprehensive reporting requirements for insurance carriers.

17-0211-1001, Administrative Rules of the Industrial Commission Under the Workers' Compensation Law - Security for Compensation - Self-Insured Employers. New chapter clarifies terms, provides a more detailed application process and outlines continuing reporting and security deposit requirements necessary to maintain self-insured status.

**IDAPA 18 - DEPARTMENT OF INSURANCE
PO Box 83720, Boise, ID 83720-0043**

18-0104-1001, Rules Pertaining to Bail Agents. New chapter identifies grounds for immediate suspension of a license; clarifies duties and responsibilities of bail agents doing business in Idaho.

18-0150-1001, Adoption of the International Fire Code. Incorporates by reference the 2009 edition of the International Fire Code.

**IDAPA 19 - STATE BOARD OF DENTISTRY
PO Box 83720, Boise, ID 83720-0021**

***19-0101-1001, Rules of the State Board of Dentistry.** (*PH) Updates documents incorporated by reference; changes nomenclature and procedures for the following: anesthesia permits; administration of nitrous oxide/oxygen, general anesthesia and moderate and deep sedation; methods of anxiety and pain control, sedation terms, and incident reporting.

**IDAPA 20 - DEPARTMENT OF LANDS
3284 West Industrial Loop, Coeur d'Alene, ID 83815
PO Box 83720, Boise, Idaho 83720**

20-0211-1001, Timber Supply Stabilization Act of 1989 on State Forests. Chapter repeal.

20-0214-1001, Rules for Selling Forest Products on State Owned Endowment Lands. Authorizes IDL to sell state timber as delivered products; expands state timber auction to allow additional bidding methods; authorizes Director to set permit rates and values; and clarifies existing rules for state timber purchasers and IDL.

20-0304-1001, Rules Governing the Regulation of Beds, Waters, and Airspace over Navigable Lakes in the State of Idaho. Allows for the replacement of some single and two-family docks without a permitting process; per statute raises application fees for some encroachment types; and lowers application fee for small domestic waterlines.

**IDAPA 23 - BOARD OF NURSING
PO Box 83720, Boise, ID 83720-0061**

23-0101-1001, Rules of the Idaho Board of Nursing. Clarifies that persons specifically authorized by Board statute or rule may administer medications; states that Board only sends notices of renewal to licensees, not applications;

states how licensees can obtain license applications; defines “family member” in connection with the prescriptive authority of an advanced practice nurse; deletes outdated references to wallet certificates and duplicate licenses.

**IDAPA 24 - BUREAU OF OCCUPATIONAL LICENSES
700 W. State Street, Boise, ID 83702**

24.02.01 - Rules of the Board of Barber Examiners

24-0201-1001, Changes eliminate the jurisprudence exam; applicants must now swear under oath that they have fully reviewed, understand, and will abide by the laws and rules.

24-0201-1002, (Temp & Prop) Changes the student/instructor ratio.

24-0301-1001, Rules of the State Board of Chiropractic Physicians. Establishes a code of ethics.

24-0601-1001, Rules for the Licensure of Occupational Therapists and Occupational Therapy Assistants. (Temp & Prop) Clarifies inactive status and requirements for reinstatement; clarifies level of supervision for students, graduates, and assistants, and supervision needed for certain treatment modalities.

24-0801-1001, Rules of the State Board of Morticians. Defines resident trainee; clarifies training requirements, qualifications and eligibility for licensure; outlines sponsoring mortician's responsibilities; and clarifies documentation of the completion of a resident trainee program.

24-0901-1001, Rules of the Board of Examiners of Nursing Home Administrators. Clarifies that full time is at least 32 hours per week which allows at least 8 hours per week for direct training between the preceptor and trainee; requires preceptor to be re-certified every 10 years.

24.13.01 - Rules of the Physical Therapy Licensure Board

24-1301-1001, (Temp & Prop) Requires foreign educated physical therapists to pass an English proficiency exam for licensure if English is not the applicant's native language.

24-1301-1002, Allows a successor entity to US Dept. of Education for curriculum accreditation; upon notification of applicant, terminates applications that have lacked activity for one year; allows 4 hours continuing education credit for the supervision of physical therapist students or assistant students.

24-1401-1001, Rules of the State Board of Social Work Examiners. Eliminates licensure based upon education in a related field; clarifies type of supervised experience required for licensure at the clinical level.

24-2201-1001, Rules of the Idaho State Liquefied Petroleum Gas Safety Board. Establishes a dealer-in-training license and license fee.

24-2501-1001, Rules of the Idaho Driving Businesses Licensure Board. New rule establishes fees and requirements for driving businesses; adds educational requirements for instructors including continuing education; clarifies ambiguities to insurance requirements; establishes deadline for the review of applications; clarifies on-line instruction.

**IDAPA 26 - DEPARTMENT OF PARKS AND RECREATION
PO Box 87320, Boise ID 83720-0065**

26-0134-1001, Rules Governing the Idaho Protection Against Invasive Species Sticker Rules. Provides for an alternative sticker purchasing and verification process for non-motorized watercraft operated by licensed outfitters and guides.

**IDAPA 27 - IDAHO BOARD OF PHARMACY
PO Box 83720, Boise, ID 83720-0067**

27.01.01 - Rules of the Idaho State Board of Pharmacy

27-0101-1001, Allows for electronic prescribing of controlled substances and eliminates requirements for handwritten and hard copy prescriptions and documents and certain prescriptions that must be promptly reduced to writing; allows for electronic prescribing and electronic prescription drug order records for controlled substances per federal law; defines term “emergency”; updates order and prescription labeling minimum requirements; and lists circumstances when a controlled substance inventory is to be taken.

27-0101-1002, Establishes qualifications for pharmacists to immunize and recordkeeping requirements.

27-0101-1003, Strikes Rule 358 because it conflicts with the Idaho Wholesale Drug Distribution Act.

27-0101-1004, Prescribers delivering controlled substances to end users must report certain data to the Board just as dispensing pharmacies currently do.

IDAPA 31 - PUBLIC UTILITIES COMMISSION

PO Box 83720, Boise, ID 83720-0074

31-1101-1001, Safety and Accident Reporting Rules for Utilities Regulated by the Idaho Public Utilities Commission. Updates incorporation by reference to the 2010 edition of the federal pipeline safety regulations.

31-7103-1001, Railroad Safety and Accident Reporting Rules. Updates incorporation by reference to the 2010 edition of the federal regulations pertaining to the transportation of hazardous materials by railroads.

IDAPA 32 - ENDOWMENT FUND INVESTMENT BOARD

PO Box 83720, Boise, ID 83720-0046

32-0101-1001, Rules Governing the Credit Enhancement Program for School Districts. New chapter establishes the application procedure for school districts and specifies fees to offset cost of program; allows EFIB to continue offering guarantees to school districts.

IDAPA 34 - OFFICE OF THE SECRETARY OF STATE

PO Box 83720, Boise, ID 83720-0080

34-0101-1001, Fees for Automated Data Retrieval. Chapter repeal.

34-0102-1001, Rules Governing Facsimile Services and Fees. Chapter repeal.

34-0103-1001, Rules Governing the Public Access Information System (PAIS). Chapter repeal.

34-0401-1001, Rules Governing the Electronic Bulletin Board Service. Chapter repeal.

34-0504-1001, Rules Governing Public Access to UCC Files. Chapter repeal.

IDAPA 35 - STATE TAX COMMISSION

PO Box 36, Boise, ID 83722-0410

35.01.01 - Income Tax Administrative Rules

35-0101-1002, Exempts income earned from services performed in Idaho by qualifying spouses of servicemembers stationed in Idaho; adds the tax brackets for calendar year 2010; limits the amount added to taxable income for rollovers to other state's college savings accounts to the amount deducted in the current and prior tax years; includes gains treated as ordinary income and specifies items that don't qualify for the Idaho capital gains deduction; defines revenue-producing enterprise; addresses net operating losses in the case of corporate mergers; allows excess net passive income as income that also may be offset with a net operating loss carried over from years an S corporation was a C corporation; limits amount added to taxable income for rollovers to other state's college savings accounts to the amount deducted in the current and prior tax years; changes the sourcing of income from resident estates and trusts that a nonresident must include in income subject to Idaho tax; addresses taxation of pass-through entity income when an individual makes the election to have the pass-through entity pay his tax on such income and the withholding requirement, exceptions to withholding, the certification of residency, the requirements of payments and reporting of withholding, and the consequences of failing to file or remit the backup withholding; includes 2010 grocery credit amounts; due date for all information returns required to be filed is the last day of February, the same as the due date for W-2s; allows taxpayers to make a donation to the opportunity scholarship program on their tax returns; requires the Idaho withholding permit number on the copy of Forms W-2 and discusses the consequences of not submitting complete or correct forms; removes obsolete rules.

***35-0101-1003, (*PH)** Updates incorporation by reference and clarifies the computation of the apportionment factor for financial institutions.

35.01.02 - Idaho Sales and Use Tax Administrative Rules

35-0102-1001, Amends definition of "land leveling" to rock that is obtained on a building site, crushed, and then used as backfill on the same building site.

35-0102-1002, Adds a provision regarding residency and airplane purchases; purchases of food made with coupons or any other authorized form of payment under federal law qualify for the exemption; states that after a developer

meets expenditure and other requirements for development project, the Commission will start depositing 60% of the sales tax revenue from the center into the Demonstration Pilot Project Fund.

***35-0103-1003, Property Tax Administrative Rules.** (*PH) Updates incorporation by reference to current editions of guides and professional standards used for property value determination and assessment; provides procedures for conducting equalization ratio studies and allows a follow-up ratio study of secondary categories if needed; clarifies occupancy tax distribution to urban renewal; changes federal agency to Federal Housing Finance Agency and clarifies the index used to adjust the maximum homeowner's exemption; defines multidwelling or multipurpose building and related land and requires related land value be included when determining exemption amount; redefines "economic rent"; recognizes that the value of or the income attributed to exempt irrigation equipment should not be included or considered when valuing agricultural land; amends definition of "economic rent" to exclude exempt irrigation equipment; clarifies when crop share or cash rent analysis should be applied in determining the value of agricultural land; explains how to compute the amount of urban renewal increment value to be included on the new construction roll in the year in which a portion of a revenue allocation area is de-annexed; value and classification of a homesite adjacent to forest lands will be valued independently from the adjacent forest lands; provides instructions on how to compute the prorated portion of the funds when computing the levy upon which a QIE recapture is to be based.

35-0105-1001, Motor Fuels Tax Administrative Rules. Requires an instate pipeline terminal operator to file monthly reports on ethanol place in storage at its Idaho pipeline terminal; records for all types of motor fuels must be kept for 3 years; includes motor vehicles powered by gaseous fuels that display a gaseous fuel permit for collection of special fuels tax; defines ethanol and natural gasoline as petroleum and petroleum products for imposition of the transfer fee.

35-0201-1001, Tax Commission Administration and Enforcement Rules. Adopts IRS alternative methods allowed to tax preparers for signing income tax returns; addresses methods allowed for filing motor fuels tax returns electronically and the risks of disclosure when filing returns electronically; adds interest rate and applicable Revenue Ruling for calendar year 2011 to the table that identifies this information by year.

**IDAPA 38 - DEPARTMENT OF ADMINISTRATION
PO Box 83720, Boise, ID 83720-0303**

38-0501-1001, Rules of the Division of Purchasing. Requires federal contracting qualification of a vendor submitting a bid proposal; increases small purchase exemption limit and professional services exemption limit from \$75,000 to \$100,000; increases small purchase limit from \$5,000 to \$10,000; clarifies mandatory use of open contracts; establishes a mandatory pre-proposal conference for vendors.

**IDAPA 46 - BOARD OF VETERINARY MEDICINE
PO Box 7249, Boise, ID 83707**

46-0101-1001, Rules of the State of Idaho Board of Veterinary Medicine. Authorizes procedure for filing written communications and documents by facsimile; clarifies definition of a valid veterinarian/client/patient relationship; increases term of service for members of the Certified Euthanasia Task Force to 3 years; clarifies the 3 specific categories of approved euthanasia, pre-euthanasia sedation, and chemical capture drugs and their restrictions; removes use of carbon monoxide-induced euthanasia chambers as an approved method of euthanasia; clarifies certification invalidation and reinstatement procedures for CETs; adds a requirement that law enforcement CETs using chemical capture must attend recertification training every third year.

**IDAPA 49 - CERTIFIED SHORTHAND REPORTERS BOARD
700 W. State Street, Boise, ID 83702**

49-0101-1001, Rules of Procedure of the Idaho Certified Shorthand Reporters Board. Clarifies conditions for renewal of a temporary permit for holders of certificates issued by the National Court Reporters Association.

NOTICE OF PROCLAMATION OF RULEMAKING

Department of Correction

06-0101-1001, Rules of the Board of Correction

SCHEDULED PUBLIC HEARING NOTICE

Department of Health and Welfare

16-0305-1002, Rules Governing Eligibility for Aid to the Aged, Blind, and Disabled (AABD) (written comment period extended)

SCHEDULED NEGOTIATED RULEMAKING MEETINGS

Department of Environmental Quality

58-0104-1001, Rules for Administration of Wastewater Treatment Facility Grants

58-0112-1001, Rules for Administration of Water Pollution Control Loans

58-0120-1001, Rules for Administration of Drinking Water Loan Program

58-0122-1001, Rules for Administration of Planning Grants for Public Drinking Water Facilities

Please refer to the Idaho Administrative Bulletin, **October 6, 2010, Volume 10-10**, for notices and text of all rulemakings, public hearings and negotiated meeting schedules, Governor's executive orders, and agency contact information.

Issues of the Idaho Administrative Bulletin can be viewed at www.adm.idaho.gov/adminrules/.

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