

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 June 22, 2011 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

02-0420-1101, Rules Governing Brucellosis. (Temp & Prop) Defines Idaho's Designated Surveillance Area (DSA); outlines brucellosis testing requirements for cattle in the DSA and provides for official individual identification of all sexually intact cattle leaving Idaho's DSA.

IDAPA 16 - DEPARTMENT OF HEALTH AND WELFARE PO Box 83720, Boise, ID 83720-0036

16-0305-1101, Rules Governing Eligibility for Aid to the Aged, Blind and Disabled. (Temp & Prop) Clarifies that Home and Community Bases Services are available to children or adults when the applicable waiver requirements are met; adds eligibility criteria requirements for the children's developmental disabilities waivers and provides clarification necessary for implementing the children's system redesign.

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

23-0101-1002, Rules of the Idaho Board of Nursing. Authorizes the Board to use an alternative process to measure beginning level competency of applicants for certification as a medication assistant.

IDAPA 30 - IDAHO COMMISSION FOR LIBRARIES 325 W. State St., Boise, ID 83702

30-0101-1101, Rules of the Idaho Commission for Libraries Governing the Use of Commission Services. Clarifies the Talking Book Service circulation and loan processes and procedures; provides a method for changes and updates by the Commissioners.

IDAPA 34 - SECRETARY OF STATE PO Box 83720, Boise, ID 83720-0080

34-0501-1101, Rules Governing Farm Products Central Filing System. (Temp & Prop) Reinserts the county code and unit code tables back into the Collateral Information Codes section of the rule.

IDAPA 35 - STATE TAX COMMISSION PO Box 36, Boise, ID 83722-0410

35-0101-1101, Income Tax Administrative Rules. (Temp & Prop) Implements the Hire One Act by revising the income tax credit allowed for qualifying new employees; informs employers of the requirements to qualify for the income tax credit since it applies to new employees hired on or after April 15, 2011; defines employer-provided health care benefits.

35-0103-1101, Property Tax Administrative Rules. (Temp & Prop) Provides that the exemption for new capital

investment may be granted after a notification containing the description of the project and the project qualifying period is received by the county; clarifies that the property eligible for taxation may be included on the new construction roll.

**IDAPA 39 - IDAHO TRANSPORTATION DEPARTMENT
PO Box 7129, Boise ID 83707-1129**

39-0272-1101, Rules Governing Administrative License Suspensions. (Temp & Prop) Removes requirement to seize any license and issue a temporary permit to any licensed driver who refuses to submit to, or submits to and fails, evidentiary testing for the presence of alcohol or drugs, whether the driver is licensed in-state or out-of-state; allows the driver, whose license is otherwise valid and current, to proceed with a photo ID in their possession that remains valid and current until a starting suspension date.

**IDAPA 58 - DEPARTMENT OF ENVIRONMENTAL QUALITY
1410 N. Hilton, Boise, ID 83706-1255**

58.01.01 - Rules for the Control of Air Pollution in Idaho

***58-0101-1001, (*PH)** (Temp & Prop) Sets out provisions for obtaining spot burn, baled agricultural residue burn, and propane flaming permits. Comment by: 7/7/11.

***58-0101-1102, (*PH)** (Temp & Prop) Removes Section 199, Electric Generating Unit Construction Prohibition, and Subsection 107.03.o. that specifically excludes the Federal Register publications regarding coal fired utilities from incorporation by reference into these rules. Comment by: 7/7/11.

58-0104-1001, Rules for Administration of Wastewater Treatment Facility Grants. (Temp & Prop) Revises the priority rating criteria for the wastewater planning grants to closely match the Clean Water SRF loan criteria; produces an environmental study as part of a planning document; updates cost eligibility criteria to achieve consistency. Comment by: 6/29/11.

58-0112-1001, Rules for Administration of Water Pollution Control Loans. Revises priority rating criteria to incorporate points for sustainability; revises the step-by-step process to arrive at a loan subsidy so that interest rates and loan repayment periods will be used in a more flexible manner; updates priority list rating and cost eligibility criteria to achieve consistency with other DEQ rules. Comment by: 6/29/11.

58-0120-1001, Rules for Administration of Drinking Water Loan Program. Revises priority rating criteria to incorporate points for sustainability; revises the step-by-step process to arrive at a loan subsidy so that interest rates and loan repayment periods will be used in a more flexible manner; updates priority list rating and cost eligibility criteria to achieve consistency with other DEQ rules. Comment by: 6/29/11.

58-0122-1001, Rules for the Administration of Planning Grants for Public Drinking Water Facilities. (Temp & Prop) Revises the priority rating criteria for the wastewater planning grants to closely match the Clean Water SRF loan criteria; produces an environmental study as part of a planning document; updates cost eligibility criteria to achieve consistency. Comment by: 6/29/11.

NOTICE OF ADOPTION OF TEMPORARY RULE

Department of Lands

20-0702-1101, Rules Governing Oil and Gas Conservation in the State of Idaho

Idaho State Tax Commission

35-0103-1102, Property Tax Administrative Rules

**NEGOTIATED RULEMAKING SCHEDULED MEETINGS
Idaho Board of Pharmacy**

27-0101-1101, Rules of the Idaho State Board of Pharmacy

Department of Environmental Quality

58-0102-1102, Water Quality Standards**58-0124-1101, Standards and Procedures for Application of Risk Based Corrective Action at Petroleum Release Sites**

Please refer to the Idaho Administrative Bulletin, [June 1, 2011, Volume 11-6](#), 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.adminrules.idaho.gov/.

Submit written inquiries to the Office of the Administrative Rules Coordinator, Dept. of Administration, PO Box 83720, Boise, ID 83720-0306 or call 208-332-1820.