

# LEGAL NOTICE

## Summary of Proposed Rulemakings

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### **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 July 27, 2011 unless otherwise listed.  
(Temp & Prop) indicates the rule is both Temporary and Proposed.  
(\*PH) indicates that a public hearing has been scheduled.*

#### **IDAPA 08 - STATE BOARD AND STATE DEPARTMENT OF EDUCATION PO Box 83720, Boise, ID 83720-0027**

**08-0203-1101, Rules Governing Thoroughness.** (Temp & Prop) Incorporates by reference the revisions of the ISAT-Alt achievement standards in mathematics, science, reading and language; adds a fourth complexity level to the science and mathematics achievement levels.

#### **IDAPA 10 - IDAHO BOARD OF LICENSURE OF PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS 1510 E. Watertower St., Meridian, ID 83642**

**10-0101-1101, Rules of Procedure.** (\*PH) Engineer intern and land surveyor intern applicants are no longer required to provide references on exam applications; adopts national standards for evaluating non-accredited engineering programs; allows an individual to select retired status during the renewal biennium in which he reaches age 60 rather than on his 60th birthday; amends the examination submittal deadlines to accommodate converting some exams to computer-based format.

**10-0102-1101, Rules of Professional Responsibility.** (\*PH) Reduces number of days to 20 that a license holder has to respond to notification of discovery of a material discrepancy by another license holder unless the licensee is working in the employ of an attorney as an expert witness; limits the amount of time following discovery of an event that the Board will accept an affidavit of complaint.

**10-0104-1101, Rules of Continuing Professional Development.** (\*PH) Allows new licensees to carry forward professional development hours earned during the biennium prior to the first renewal following the issuance of the license; allows professional development hours for peer review of published articles; allows license holders residing outside the US to earn required professional development hours upon returning to the US.

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

**\*16-0101-1101, Emergency Medical Services (EMS) -- Advisory Committee (EMSAC).** (\*PH) New chapter establishes the required membership and organizational representation; provides length of terms of membership, definitions, guidelines, duties, and responsibilities of the committee. Comment by: 8/12/11.

#### **16.01.07 - Emergency Medical Services (EMS) -- Personnel Licensing Requirements**

**\*16-0107-1101, (Temp & Prop) (\*PH)** New chapter provides standards and requirements for personnel licensure, an application process, scope of practice, definitions, records management; adds citations to chapters governing complaints, investigations, compliance and enforcement of these rules. Comment by: 8/12/11.

**\*16-0107-1102**, (Temp & Prop) (\*PH) Sets fees for applications for initial licensure, renewal and reinstatement. Comment by: 8/12/11.

**\*16-0112-1101, Emergency Medical Services (EMS) -- Complaints, Investigations, and Disciplinary Actions.** (Temp & Prop) (\*PH) New chapter establishes requirements for filing complaints, disclosure of records, handling complaint investigations, and compliance with licensing standards; provides for enforcement and disciplinary actions for violations and notification requirements of disciplinary actions; adds citations to those chapters for which these rules provide disciplinary actions and compliance enforcement. Comment by: 8/12/11.

**\*16-0203-1101, Emergency Medical Services.** (Temp & Prop) (\*PH) The following have been removed from this rule and reorganized into new chapters: EMS personnel licensure standards and requirements; application procedures; fees; records management requirements; investigation, enforcement and compliance requirements for agency and personnel licensing. It amends the scope of practice and adds citations to new chapters. Comment by: 8/12/11.

**16-0319-1101, Certified Family Homes.** (Temp & Prop) Implements licensing fees to cover the certification and recertification costs for certified family homes; provides enforcement action for nonpayment of the recertification fees.

**16-0504-1101, Rules of the Idaho Council on Domestic Violence and Victim Assistance Grant Funding.** (Temp & Prop) Revises the "Minimum Standards for the Domestic Violence Offender Intervention Programs" manual that is incorporated by reference to prohibit conjoint treatment (couples counseling) as an alternative intervention.

**\*16-0602-1101, Rules Governing Standards for Child Care Licensing.** (Temp & Prop) (\*PH) Complies with legislative changes that increase the maximum fees that can be assessed for daycare center licensing; amends safety standards and staff child ratios.

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

**39-0270-1101, Rules Governing Restricted Driving Permits.** (Temp & Prop) Removes a fee that is now in statute and replaces fee with a code reference; updates terminology; removes restricted driving permit provisions for drivers under the age of 17 for consistency with graduated licensing laws; removes time limitations for application for a restricted driving permit; adds required sections.

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

**58-0102-1003, Water Quality Standards.** Adds definitions of "degradation or lower water quality" and "general permit"; amends and adds language regarding application of antidegradation to general permits, identification of Tier II waters, and insignificant activity or discharge will be inserted as Subsection 052.08.a. to conform to changes in state law; deletes reference to special resource waters and the designation of waters determined to be special resource waters. Comment by: 8/5/11.

**58-0109-1101, Rules Regulating Swine and Poultry Facilities.** Implements HB 206 (2011) by removing the provisions and references to poultry facilities from DEQ rule. Responsibility and oversight of current and future poultry operations have been transferred to the State Department of Agriculture. Comment by: 8/3/11.

**RULES ADOPTED AS TEMPORARY ONLY**

***Idaho State Police***

**11-0501-1101**, Rules Governing Alcohol Beverage Control

***Department of Lands***

**20-0315-1101**, The Issuance of Geothermal Leases

**SCHEDULED NEGOTIATED RULEMAKING MEETINGS**

*Department of Agriculture*

**02-0418-1101**, Rules Governing CAFO Site Advisory Team

**02-0430-1101**, Rules Governing Nutrient Management

**02-0432-1101**, Rules Governing Poultry Operations

**02-0433-1101**, Rules Governing Milk and Cream Procurement and Testing

*Department of Lands*

**20-0315-1102**, The Issuance of Geothermal Leases

**20-0702-1102**, Conservation of Crude Oil and Natural Gas in the State of Idaho

Please refer to the Idaho Administrative Bulletin, **July 6, 2011, Volume 11-7**, 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 [adminrules.idaho.gov](http://adminrules.idaho.gov).*

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