

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 25, 2014 unless otherwise noted.
Public hearing request deadline is June 18, 2014 unless otherwise noted.
(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

02-0406-1401, Requirement of Licensed Dairy Plants. Changes chapter name and updates the incorporation by reference.

02-0414-1401, Rules Governing Dairy Waste. Conforms rule to SB 1376 by removing outdated definitions and adding new definitions and by revising the provisions regarding unauthorized discharges, compliance schedules and penalties.

02-0429-1401, Rules Governing Trichomoniasis. Conforms rule to SB 1268 by removing the Trichomoniasis testing exemption, currently in Subsection 02.04.29.100.05, for non-virgin breeding bulls located north of the Salmon River

02-0602-1401, Rules Pertaining to the Idaho Commercial Feed Law. Updates the incorporation by reference to the 2015 Official Publication of the Association of American Feed Control Officials (AAFCO).

02-0612-1401, Rules Pertaining to the Idaho Fertilizer Law. Updates the incorporation by reference to the 2015 Official Publication of the Association of American Plant Food Control Officials (AAPFCO).

02-0633-1401, Organic Food Products Rules. Removes the \$50 annual registration fee for organic producers and handlers with \$5,000 or less in annual gross sales, and other certifying agents operating in Idaho.

02-0641-1401, Rules Pertaining to the Idaho Soil and Plant Amendment Act of 2001. Updates the incorporation by reference to the 2015 Official Publication of the Association of American Plant Food Control Officials (AAPFCO).

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

08-0501-1401, Rules for Seed and Plant Certification by Idaho Crop Improvement Association, Inc. (Temp & Prop) Establishes rules and procedures for the certification of seeds, tubers, plants and plant parts in Idaho in accordance with the Idaho Crop Improvement Association standards.

IDAPA 15 - OFFICE OF THE GOVERNOR IDAHO STATE LIQUOR DIVISION PO Box 179001, Boise, ID 83717-9001

15-1001-1401, Rules of the Idaho State Liquor Division. (Temp & Prop) Allows manufacturers of distilled spirits to provide limited retail sales of manufactured distilled spirits products to consumers on the premises of the distillery/distributing station.

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

**16-0317-1401, Medicare/Medicaid Coordinated Plan Benefits.* (Temp & Prop) (*PH) Complies with HB 260 (2011) to implement a managed care plan for eligible participants and updates the list of Medicaid-only services benefits to include Aged and Disabled Waiver services, prescribed drugs and home and community based services, self-directed community supports, and targeted service coordination for persons with developmental disabilities.

IDAPA 35 - IDAHO STATE TAX COMMISSION**PO Box 83720, Boise, ID 83720-0065**

35-0105-1401, Motor Fuels Tax Administrative Rules. Adds to and amends certain required rule sections regarding title and scope, incorporation by reference, and public records act compliance.

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

39-0316-1401, Rules Governing Oversize Permits for Non-Reducible Vehicles and/or Loads. (Temp & Prop) Creates a new permit for transport of specifically produced kiln lumber stacks that exceed width allowances.

IDAPA 58 - DEPARTMENT OF ENVIRONMENTAL QUALITY**1401 N. Hilton, Boise, ID 83706-1255**

58-0110-1401, Rules Regulating the Disposal of Radioactive Materials Not Regulated Under the Atomic Energy Act of 1954, as Amended. Updates the incorporations by reference and implements SB 1260 (2014) that revised and clarified the definition of "restricted hazardous waste" which allows several additional federal agencies to utilize the existing Idaho DEQ permitted disposal capacity of the U.S. Ecology Idaho, Inc. Grand View facility for environmentally protective, secure disposal of these materials. Comment by: 7/2/14

IDAPA 59 - PUBLIC EMPLOYEE RETIREMENT SYSTEM OF IDAHO (PERSI)**PO Box 83720, Boise, ID 83720-0078**

59-0103-1401, PERSI Contribution Rules. Delays scheduled increase in contribution rates for employers and employees.

NOTICE OF PROCLAMATION OF RULEMAKING**IDAPA 06 - BOARD OF CORRECTION**

06-0102-1401, Rules of Correctional Industries. New chapter implements SB 1374 (2014) by establishing an agricultural inmate work program that provides for contracting with private agricultural employers, ensures non-inmate worker displacement, provides for inmate safety and security, and develops a system for deductions from inmate worker's wages.

NOTICES OF ADOPTION OF TEMPORARY RULE**IDAPA 35 - IDAHO STATE TAX COMMISSION**

35-0103-1402, Property Tax Administrative Rule

IDAPA 58 - DEPARTMENT OF ENVIRONMENTAL QUALITY

58-0102-1301, Water Quality Standards (Temporary and Pending)

NOTICES OF INTENT TO PROMULGATE - NEGOTIATED RULEMAKINGS**IDAPA 02 - DEPARTMENT OF AGRICULTURE**

02-0303-1401, Idaho Department of Agriculture Rules Governing Pesticide Use and Chemigation Use and Application

02-0405-1401, Rules of the Department of Agriculture Governing Manufacture Grade Milk

02-0419-1401, Rules Governing Domestic Cervidae

02-0421-1401, Rules Governing the Importation of Animals

*02-0605-1401, Rules Governing Diseases of Hops (*humulus lupulus*)*

*02-0627-1402, Rules Governing Bacterial Ring Rot Caused by (*clavibacter michiganensis* subsp. *sepedonicus*) of Potato*

IDAPA 07 - DIVISION OF BUILDING SAFETY

07-0301-1401, Rules of Building Safety

IDAPA 16 - DEPARTMENT OF HEALTH AND WELFARE

16-0227-1401, Idaho Radiation Control Rules

IDAPA 20 - IDAHO DEPARTMENT OF LANDS

20-0702-1401, Rules Governing Conservation of Crude Oil and Natural Gas in the State of Idaho

IDAPA 23 - IDAHO STATE BOARD OF NURSING

23-0101-1401 and *23-0101-1402*, Rules of the State Board of Nursing

IDAPA 35 - STATE TAX COMMISSION

35-0101-1401, Income Tax Administrative Rules

35-0105-1402, Motor Fuels Tax Administrative Rules

IDAPA 38 - DEPARTMENT OF ADMINISTRATION

38-0501-1401, Rules of the Division of Purchasing

38-0601-1401, Rules of the Department of Administration Governing Billing Procedures of the Office of the Chief Information Officer

IDAPA 46 - BOARD OF VETERINARY MEDICINE

46-0101-1401, Rules of the State of Idaho Board of Veterinary Medicine

IDAPA 55 - DIVISION OF PROFESSIONAL-TECHNICAL EDUCATION

55-0104-1401, Rules Governing Agricultural and Natural Resource Education Programs (new chapter)

IDAPA 57 - SEXUAL OFFENDER MANAGEMENT BOARD

57-0102-1401, Rules Governing Juvenile Sexual Offender Management Practices

IDAPA 58 - DEPARTMENT OF ENVIRONMENTAL QUALITY

58-0101-1402, Rules for the Control of Air Pollution in Idaho

Please refer to the Idaho Administrative Bulletin, [June 4, 2014, Volume 14-6](#), for the notices and text of all rulemakings, public hearings schedules, information on negotiated rulemakings, executive orders of the Governor, and agency contact information.

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

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