

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 July 23, 2014 unless otherwise noted.
Public hearing request deadline is July 16, 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

02.02.14 - Rules for Weights and Measures

02-0214-1401, Incorporates by reference the 2015 edition of the National Institute of Standards and Technology (NIST) Handbook 44, specifications, tolerances, and other technical requirements for weighing and measuring devices.

02-0214-1402, Clarifies pump labeling requirements for ethanol blends in oxygenated gasoline that are 10% or less.

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

16-0102-1401, *Emergency Medical Services (EMS) -- Rule Definitions*. (Temp & Prop) Amends the definition "Emergency Medical Services or EMS" to align it with the amendment to 56-1012, Idaho Code.

***16-0310-1401**, *Medicare Enhanced Plan Benefits*. (Temp & Prop) (*PH) Aligns rule to statutory changes that restore Medicaid benefits for dental services that reflect evidence-based practice for adults with disabilities and special health needs and allows developmental disability budget modifications for community-supported employment.

16-0506-1401, *Criminal History and Background Checks*. (Temp & Prop) Adds references and amends classes of individuals requiring the Department's criminal history and background checks.

IDAPA 24 - BUREAU OF OCCUPATIONAL LICENSES PO Box 83720, Boise, ID 83720-0063

24-2501-1401, *Rules of the Idaho Driving Businesses Licensure Board*. (Temp & Prop) Allows the Board to waive the apprenticeship requirements for licensure for those who hold a current equivalent license in another state or who have the requisite training and experience; clarifies the qualifications for a waiver of the instructor apprenticeship training program.

24-2601-1401, *Rules of the Idaho Board of Midwifery*. (Temp & Prop) Aligns rule to statutory amendments that clarify the scope of practice of midwifery.

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

26-0103-1401, *Rules Governing Recreational Registration Vendors*. (Temp & Prop) Changes terminology to clarify and distinguish between the IDPR recreational registrations and the Idaho Transportation Department (ITD) vehicle registrations.

26-0120-1401, Rules Governing the Administration of Park and Recreation Areas and Facilities. (Temp & Prop) Changes terminology to clarify and distinguish between the IDPR recreational registrations and the ITD vehicle registrations.

26-0130-1401, Idaho Safe Boating Rules. (Temp & Prop) Changes “registration sticker” to “validation sticker” for snowmobiles to distinguish the IDPR recreational registrations and the ITD vehicle registrations.

26-0131-1401, Rules Governing the Administration of the Idaho Department of Parks and Recreation State and Federal Grant Funds. (Temp & Prop) Changes terminology to clarify and distinguish between the IDPR recreational registrations and the ITD vehicle registrations.

26-0134-1401, Idaho Protection Against Invasive Species Sticker Rules. (Temp & Prop) Changes terminology to clarify and distinguish between the IDPR recreational registrations and the ITD vehicle registrations.

26-0136-1401, Rules Governing the Winter Recreational Parking Permit Program. (Temp & Prop) Changes terminology to clarify and distinguish between the IDPR recreational registrations and the ITD vehicle registrations.

IDAPA 38 - DEPARTMENT OF ADMINISTRATION

PO Box 83720, Boise, ID 83720-0013

38-0404-1401, Rules Governing Capitol Mall Parking. (Temp & Prop) Provides for the utilization and management of the new State parking garage; clarifies eligibility requirements for specific permits; defines legislative parking and Capitol Annex visitor parking; increases percentage of reserved parking spaces; increases monthly parking fees to fund the maintenance and security of new parking garage.

IDAPA 59 - PUBLIC EMPLOYEE RETIREMENT SYSTEM OF IDAHO (PERSI)

PO Box 83720, Boise, ID 83720-0078

59-0106-1401, PERSI Retirement Rules. (Temp & Prop) Clarifies provisions regarding “retirement in place” for small board and commissions members by providing that they must be eligible to retire and be age 62 or over in order to qualify to retire in place.

59-0201-1401, Rules for the Judges' Retirement Fund. (Temp & Prop) (New Chapter) Establishes the procedures for the administration of the judges' retirement fund.

NOTICES OF INTENT TO PROMULGATE - NEGOTIATED RULEMAKING

IDAPA 02 - DEPARTMENT OF AGRICULTURE

02-0214-1403, Rules for Weights and Measures

02-0421-1402, Rules Governing Importation of Animals

02-0424-1401, Rules Governing Tuberculosis

02-0428-1401, Rules Governing Livestock Dealers, Buying Stations, and Livestock Trader Lots

***02-0627-1402, Rules Governing Bacterial Ring Rot Caused by (*Clavibacter michiganensis* subsp. *Sepedonicus*) of Potato (*Second Notice)**

02-0801-1401, Rules Governing the Idaho Sheep and Goat Health Board

IDAPA 05 - IDAHO DEPARTMENT OF JUVENILE CORRECTIONS

05-0101-1401, Rules for Contract Providers

05-0105-1401, Rules for Reintegration Providers

05-0201-1401, Rules for Residential Treatment Providers (New Chapter)

05-0202-1401, Rules for Staff Secure Providers (New Chapter)

05-0203-1401, Rules for Integration Providers (New Chapter)

05-0204-1401, Rules for Supported Living Providers (New Chapter)

IDAPA 07 - DIVISION OF BUILDING SAFETY

07-0205-1401, Rules Governing Plumbing Safety Licensing

IDAPA 09 - DEPARTMENT OF LABOR**09-0104-1401**, Unemployment Insurance Benefits Fraud and Overpayment Rules**09-0106-1401**, Rules of Appeals Bureau**09-0130-1401**, Unemployment Insurance Benefits Administration Rules**IDAPA 13 - IDAHO DEPARTMENT OF FISH AND GAME****13-0108-1402**, Rules Governing the Taking of Big Game Animals in the State of Idaho**IDAPA 15 - OFFICE OF THE GOVERNOR****IDAHO COMMISSION FOR THE BLIND AND VISUALLY IMPAIRED****15-0202-1401**, Vocational Rehabilitation Services**15-0230-1401**, Business Enterprise Program**MILITARY DIVISION - BUREAU OF HOMELAND SECURITY****15-0605-1401**, Hazardous Substance Response Rules**IDAPA 16 - DEPARTMENT OF HEALTH AND WELFARE*****16-0227-1401**, Idaho Radiation Control Rules (*Second Notice)**16-0507-1401**, The Investigation and Enforcement of Fraud, Abuse, and Misconduct**IDAPA 18 - IDAHO DEPARTMENT OF INSURANCE****18-0125-1401**, Title Insurance and Title Insurance Agents and Escrow Officers**18-0144-1401**, Schedule of Fees, Licenses, and Miscellaneous Charges**18-0146-1401**, Recognition of New Annuity Mortality Tables for Use in Determining Reserve Liabilities for Annuities and Pure Endowment Contracts**18-0153-1401**, Continuing Education**18-0156-1401**, Rebates and Illegal Inducements to Obtaining Title Insurance Business**IDAPA 19 - IDAHO STATE BOARD OF DENTISTRY****19-0101-1401**, Rules of the Idaho State Board of Dentistry**IDAPA 20 - IDAHO DEPARTMENT OF LANDS****20-0316-1401**, Rules Governing Oil and Gas Leasing on Idaho State Lands**IDAPA 27 - IDAHO BOARD OF PHARMACY****27-0101-1401**, Rules of the Idaho Board of Pharmacy**IDAPA 35 - STATE TAX COMMISSION****35-0102-1403**, Idaho Sales and Use Tax Administrative Rules

Please refer to the Idaho Administrative Bulletin, [July 2, 2014, Volume 14-7](#), 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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