

# 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 20, 2016 unless otherwise noted.  
Public hearing request deadline is July 27, 2016 unless otherwise noted.  
(Temp & Prop) indicates the rule is both Temporary and Proposed.  
(\*PH) indicates that a public hearing has been scheduled.*

#### **IDAPA 02 – IDAHO DEPARTMENT OF AGRICULTURE PO Box 790, Boise, ID 83701**

**02-0214-1601, Rules for Weights and Measures.** Incorporates by reference the 2016 edition of the National Institute of Standard and Technology Handbook 44, Specifications, Tolerances, and Other Technical Requirements for Weighing and Measuring Devices.

**02-0408-1601, Rules Governing Grade A Milk and Milk Products.** Incorporates by reference the following: 2015 edition of the Grade A Pasteurized Milk Ordinance; 2015 edition of the Evaluation of Milk Laboratories reference document; 2015 Methods of Making Sanitation Ratings of Milk Shippers reference document; and 2015 edition of Procedures Governing the Cooperative State-Public Health Service/Food and Drug Administration reference document.

**02-0602-1601, Rules Pertaining to the Idaho Commercial Feed Law.** Incorporates by reference the 2017 Official Publication of the Association of American Feed Control Officials (AAFCO).

**02-0612-1601, Rules Pertaining to the Idaho Fertilizer Law.** Incorporates by reference the 2017 Official Publication of the Association of American Plant Food Control Officials (AAPFCO).

**02-0641-1601, Rules Pertaining to the Idaho Soil and Plant Amendment Act of 2001.** Incorporates by reference the 2017 Official Publication of the Association of American Plant Food Control Officials (AAPFCO).

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

**16-0506-1601, Criminal History and Background Checks.** (Temp & Prop) Aligns chapter to other amended chapters and add references and amends classification of individuals required to have the Department's criminal history and background checks.

**\*16-0507-1601, The Investigation and Enforcement of Fraud, Abuse, and Misconduct.** (Temp Prop) (\*PH) Provides the methodology and percentages used for calculating civil monetary penalties; specifies the types of conduct, frequency, and knowledge of the conduct for which the Department has the authority to assess civil monetary penalties; allows for enhanced penalties for certain types of behaviors and violations.

#### **IDAPA 35 – IDAHO STATE TAX COMMISSION**

**PO Box 36, Boise, ID 83722-0410**

**35-0105-1602, Idaho Motor Fuels Tax Administrative Rules.** Deletes supplemental reporting requirement and moves Subsections 140.01, Motor Fuels and Petroleum Products Presumed To Be Distributed, and 140.04, Exported Fuel, to Rule 130.

**NOTICE OF ADOPTION OF TEMPORARY RULE****IDAPA 02 – DEPARTMENT OF AGRICULTURE**

**02-0631-1601, Noxious Weed Free Forage and Straw Certification Rules** (Eff. 6/1/16)T

**IDAPA 10 – BOARD OF PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS**

**10-0101-1603, Rules of Procedure** (Eff. 7/6/16)T

**IDAPA 31 – IDAHO PUBLIC UTILITIES COMMISSION**

**31-4602-1601, Rules for Telecommunications Relay Services** (TRS) (Eff. 5/1/16)T

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

**02-0414-1601, Rules Governing Dairy Waste** (2 meetings scheduled – see Bulletin)

**02-0415-1601, Rules Governing Beef Cattle Animal Feeding Operations** (Meeting scheduled 8/3/16)

**02-0416-1601, Rules Governing Agriculture Odor Management** (2 meetings scheduled – see Bulletin)

**02-0418-1601, Rules Governing CAFO Site Advisory Team** (Meetings scheduled – see Bulletin)

**02-0419-1601, Rules Governing Domestic Cervidae** (Meeting scheduled 7/27/16)

**02-0421-1601, Rules Governing the Importation of Animals** (Meeting scheduled 7/27/16)

**02-0430-1601, Rules Governing Nutrient Management** (2 meetings scheduled – see Bulletin)

**02-0431-1601, Rules Governing the Stockpiling of Agricultural Waste** (2 meetings scheduled – see Bulletin)

**02-0432-1601, Rules Governing Poultry Operations** (2 meetings scheduled – see Bulletin)

**02-0621-1601, Rules for Voluntary Public Services of the Idaho Department of Agriculture Laboratories** (Meeting scheduled 7/26/16)

**02-0622-1601, Noxious Weed Rules** (Meeting scheduled 7/13/16)

**02-0631-1602, Noxious Weed Free Forage and Straw Certification Rules** (Meeting scheduled 7/13/16)

**IDAPA 08 – STATE BOARD OF EDUCATION/DEPARTMENT OF EDUCATION**

**08-0102-1601, Rules Governing Postsecondary Credit Scholarship Program** (New Chapter) (To Participate Respond by 7/15/16)

**08-0104-1601, Residency** (To Participate Respond by 7/15/16)

**08-0201-1602, Rules Governing Administration** (To Participate Respond by 7/15/16)

**08-0201-1603, Rules Governing Administration** (To Participate Respond by 7/15/16)

**08-0201-1604, Rules Governing Administration** (To Participate Respond by 7/15/16)

**08-0203-1610, Rules Governing Thoroughness** (To Participate Respond by 7/15/16)

**08-0203-1611, Rules Governing Thoroughness** (To Participate Respond by 7/15/16)

**IDAPA 09 – IDAHO DEPARTMENT OF LABOR**

**09-0130-1601, Unemployment Insurance Benefits Administration Rules** (To Participate Respond by 7/27/16)

**09-0135-1601, Unemployment Insurance Benefits Tax Administration Rules** (To Participate Respond by 7/27/16)

**IDAPA 13 – DEPARTMENT OF FISH AND GAME**

**13-0108-1601, Rules Governing the Taking of Big Game Animals in the State of Idaho** (To Participate Respond by 7/24/16)

**IDAPA 16 – DEPARTMENT OF HEALTH AND WELFARE**

**16-0303-1601, Rules Governing Child Support Services** (Meeting scheduled 7/19/16)

**IDAPA 18 – DEPARTMENT OF INSURANCE**

*18-0110-1601*, Producers Handling of Fiduciary Funds (Meeting scheduled 7/21/16)

*18-0129-1601*, Restrictions on Discretionary Clauses in Health Insurance Contracts (Meeting scheduled 7/21/16)

*18-0150-1601*, Adoption of the International Fire Code (Meeting scheduled 7/26/16)

*18-0154-1601*, Rule to Implement the NAIC Medicare Supplement Insurance Minimum Standards Model Act (Meeting scheduled 7/25/16)

**IDAPA 20 – IDAHO DEPARTMENT OF LANDS**

*20-0316-1601*, Rules Governing Oil and Gas Leasing on Idaho State Lands (Meetings scheduled – see Bulletin)

**IDAPA 23 – BOARD OF NURSING**

*23-0101-1601*, Rules of the Idaho Board of Nursing (Meeting scheduled 7/21/16)

**IDAPA 31 – IDAHO PUBLIC UTILITIES COMMISSION**

*31-4602-1602*, Rules for Telecommunications Relay Services (TRS) (To Participate Respond by 7/27/16)

**IDAPA 35 – STATE TAX COMMISSION**

*35-0102-1602*, Idaho Sales and Use Tax Administrative Rules (Meeting scheduled 7/19/16)

**IDAPA 46 - BOARD OF VETERINARY MEDICINE**

*46-0101-1602*, Rules of the State of Idaho Board of Veterinary Medicine (Meeting scheduled 7/14/16 - teleconference available)

**IDAPA 48 - IDAHO GRAPE GROWERS AND WINE PRODUCERS COMMISSION**

*48-0101-1601*, Rules of the Idaho Grape Growers and Wine Producers Commission (2<sup>nd</sup> meeting scheduled 7/21/16)

**IDAPA 55 – DIVISION OF CAREER TECHICAL EDUCATION**

*55-0105-1601*, Rules Governing Industry Partner Fund (To Participate Respond by 7/15/16)

Please refer to the Idaho Administrative Bulletin, [July 6, 2016, Volume 16-7](#), 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](http://adminrules.idaho.gov).*

Office of the Administrative Rules Coordinator, Dept. of Administration, PO Box 83720, Boise, ID 83720-0306  
Phone: 208-332-1820; Fax: 332-1896; Email: [rulescoordinator@adm.idaho.gov](mailto:rulescoordinator@adm.idaho.gov)