

# 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 required information concerning their intent to change or make new the following rules in the latest publication of the state Administrative Bulletin.

*The proposed rule public hearing request deadline is July 17, 2024, unless otherwise posted.  
The proposed rule written comment submission deadline is July 24, 2024, unless otherwise posted.  
(\*Temp & Prop) indicates the rulemaking is both Temporary and Proposed.  
(\*PH) indicates that a public hearing has been scheduled.*

#### IDAPA 02 – DEPARTMENT OF AGRICULTURE PO Box 7249, Boise, ID 83707

**\*02-0303-2402, Rules Governing Pesticide and Chemigation Use and Application.** (\*PH) (Temp & Prop) Rule edits are to comply with recent legislation that amended chemigation applicator license categorization and aim to simplify the license acquisition and maintenance process.

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

**08-0111-2401, Registration of Postsecondary Educational Institutions and Proprietary Schools.** (Temp & Prop) Changes remove the term “regional” no longer recognized by the US Dept. of Education for accreditation and eliminate unnecessary regulatory language.

**08-0201-2401, Rules Governing Administration.** (Temp & Prop) Recent legislation requires the Board to collect and add to the state data system two additional data points, “Responsible District/School” and “Physically on Campus,” to properly calculate various funding streams.

#### IDAPA 11 – IDAHO STATE POLICE \ PEACE OFFICER STANDARDS AND TRAINING COUNCIL 700 S Stratford Dr, Meridian, ID 83642

**11-1101-2401, Rules of the Idaho Peace Officer Standards and Training Council.** (Temp & Prop) Amendments clarify disqualifying conduct regarding the use, purchase, or possession of illegal substances.

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

**16-0418-2401, Children’s Agencies and Residential Licensing.** (Temp & Prop) Rulemaking makes corresponding changes to align the children’s agencies requirements for foster homes with updates in IDAPA 16.06.02, Foster Care Licensing.

**16-0602-2401 (Chapter Repeal), Foster Care Licensing.** (Temp & Prop) Chapter is repealed and replaced with companion docket 16-0602-2402.

**16-0602-2402 (Chapter Rewrite), Foster Care Licensing.** (Temp & Prop) Chapter rewritten to expedite action on applications to 1 business day; makes evident that Department-appropriated funding can be used for reasonable modifications necessary to meet home health and safety standards for licensees; and moves closer to kin-specific licensure standards by defaulting to national model and deferring to foster parent, where appropriate.

#### IDAPA 20 – IDAHO DEPARTMENT OF LANDS PO Box 83720, Boise, ID 83720-0050

**20-0313-2401, Administration of Cottage Site Leases on State Lands.** Zero-Based Regulation (ZBR) Rewrite provides guidance for residential cottage site leasing on state lands by establishing assignment restrictions and annual

rent determination.

**20-0314-2401, Rules Governing Grazing, Farming, and Conservation Leases.** ZBR Rewrite outlines procedures for leasing, no longer than 20 years, of state endowment trust land for grazing, farming, conservation, and other uses treated similarly under Section 58-307, Idaho Code.

**20-0315-2401 (Fee Rule), Rules Governing Geothermal Leasing on Idaho State Lands.** ZBR Rewrite applies to lease assignments and terms for the exploration and extraction of any geothermal resource situated in state-owned mineral lands.

**20-0316-2401 (Fee Rule), Rules Governing Oil and Gas Leasing on Idaho State Lands.** ZBR Rewrite applies to lease assignments and terms for the exploration and extraction of oil and gas resources situated in state-owned mineral lands.

**20-0401-2301, Rules Pertaining to Forest Fire Protection.** ZBR Rewrite provides standards for forest fire protection, non-fee burn permitting, and for firefighting water supply and tool requirements for forest operations.

**20-0402-2301, Rules Pertaining to the Idaho Forestry Act and Fire Hazard Reduction Laws.** ZBR Rewrite implements Idaho law to provide for: hazard management agreements and contracts; burning requirements and slash hazard reduction standards associated with cutting timber or other forest products; and release or continuation of contractor liability for wildfire suppression costs.

#### IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES

PO Box 83720, Boise, ID 83720-0063

**\*24-0301-2401, Rules of the State Board of Chiropractic Physicians.** (\*PH) ZBR Rewrite governs the practice of chiropractic in Idaho, to include licensure, education, practice standards, fees, and clinical nutrition certification.

**\*24-0901-2401, Rules of the Board of Examiners of Nursing Home Administrators.** (\*PH) ZBR Rewrite governs the practice of nursing home administration, to include licensure, fees, continuing education requirements, and Administrators-In-Training and Administrator Designee criteria.

**\*24-1901-2401 (Fee Rule), Rules of the Board of Examiners of Residential Care Facility Administrators.** (\*PH) ZBR Rewrite governs the practice of residential care facility administration in Idaho to include licensure, continuing education, discipline, fees, and training requirements.

**\*24-2401-2401, Rules of the Genetic Counselors Licensing Board.** (\*PH) ZBR Rewrite regulates the profession of genetic counseling and outlines licensure requirements, associated fees, and unprofessional or unethical conduct.

**\*24-3301-2401 (Fee Rule), Rules of the Board of Medicine for the Practice of Medicine and Osteopathic Medicine in Idaho.** (\*PH) ZBR Rewrite governs the practice of medicine and osteopathic medicine in Idaho to include: domestic and international licensure; continuing education requirements; practice standards for collaborating, directing, supervising, and prelitigation panelist physicians; licensing fees; and discipline.

**\*24-3302-2401, Rules for the Licensure of Physician Assistants.** (\*PH) ZBR Rewrite governs the practice of physician and graduate physician assistants by establishing licensure and continuing education requirements, practice standards, and licensing fees.

**\*24-3303-2401 (Chapter Repeal), General Provisions of the Board of Medicine.** (\*PH) ZBR Repeal moves necessary provisions to 24.33.01.

**\*24-3304-2401, Rules for the Licensure of Naturopathic Medical Doctors.** (\*PH) ZBR Rewrite governs the licensure, scope of practice, and discipline of the naturopathic medical doctors in Idaho.

**\*24-3305-2401, Rules for the Licensure of Athletic Trainers to Practice in Idaho.** (\*PH) ZBR Rewrite governs the practice of athletic training in Idaho which requires formulation of a training service plan or protocol, supervision by and referral from a directing physician, and associated fees.

**\*24-3306-2401, Rules for Licensure of Respiratory Therapists and Permitting of Polysomnographers in Idaho.** (\*PH) ZBR Rewrite governs the practice of respiratory care and polysomnography related to respiratory care.

**\*24-3307-2401, Rules for the Licensure of Dietitians.** (\*PH) ZBR Rewrite governs practice of dietetics, outlining fees and provisional licensure.

#### IDAPA 58 – DEPARTMENT OF ENVIRONMENTAL QUALITY

1410 N Hilton St, Boise, Idaho 83706

**58-0123-2401, Contested Case Rules and Rules for Protection and Disclosure of Records.** (Temp & Prop) Substantive changes remove and replace references from Attorney General rules no longer effective and direct to Office of Administrative Hearings rules for contested cases.

#### EXECUTIVE ORDERS OF THE GOVERNOR

**2024-05,** Promoting Families and Protecting Children

**2024-06,** Protecting Idaho Water Sovereignty Act

**NOTICE OF ADOPTED / AMENDED PROCLAMATION(S)****IDAPA 13 – IDAHO FISH AND GAME COMMISSION**

*13-0000-2400P4*, Establishing Seasons and Limits for Hunting, Fishing, and Trapping in Idaho

**NOTICES OF ADOPTION OF TEMPORARY RULE ONLY****IDAPA 08 – STATE BOARD OF EDUCATION**

*08-0203-2402*, Rules Governing Thoroughness

**IDAPA 11 – IDAHO STATE POLICE**

*11-0501-2402*, Rules Governing Alcohol Beverage Control

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

*16-0601-2403*, Child and Family Services

*16-0603-2401*, Daycare Licensing

**NOTICES OF INTENT TO PROMULGATE RULES – NEGOTIATED RULEMAKING**

(Please see the Administrative Bulletin for dates and times of meetings and other participant information)

**IDAPA 02 – DEPARTMENT OF AGRICULTURE**

*02-0212-2401*, Bonded Warehouse Rules

*02-0301-2401*, Rules Governing Pesticide Management Plans for Ground Water Protection

*02-0403-2401*, Rules Governing Animal Industry

*02-0415-2401*, Rules Governing Beef Cattle Animal Feeding Operations

*02-0419-2401*, Rules Governing Domestic Cervidae

*02-0501-2401*, Rules Governing Produce Safety

*02-0609-2402*, Rules Governing Invasive Species and Noxious Weeds

**IDAPA 09 – IDAHO DEPARTMENT OF LABOR**

*09-0101-2401*, Rules of Administrative Procedure of the Department of Labor

*09-0130-2401*, Unemployment Insurance Benefits Administration Rules

*09-0135-2401*, Unemployment Insurance Tax Administration Rules

**IDAPA 11 – IDAHO STATE POLICE**

*11-0201-2401*, Rules of the Idaho State Brand Board

*11-0501-2403*, Rules Governing Alcohol Beverage Control

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

*13-0111-2401*, Rules Governing Fish

**IDAPA 18 – IDAHO DEPARTMENT OF INSURANCE**

*18-ZBRR-2401*, Agency Omnibus ZBR Negotiated Rulemaking promulgates Title 01, Chapter 01; Title 03, Chapters 02-04; Title 04, Chapter 03; Title 05, Chapter 01; Title 06, Chapter 06; and Title 07, Chapters 04, 05.

*18-0415-2401*, Rules Governing Short-Term Health Insurance Coverage

*18-0801-2401*, Adoption of the International Fire Code

**IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES**

*24-2201-2401*, Rules of the Idaho State Liquefied Petroleum Gas Safety Board

*24-3910-2402*, Rules of the Idaho Electrical Board

*24-3940-2401*, Safety Rules for Elevators, Escalators, and Moving Walks

*24-3960-2401*, Rules Governing Uniform School Building Safety

*24-3980-2401*, Idaho Minimum Safety Standards and Practices for Logging

**IDAPA 35 – IDAHO STATE TAX COMMISSION**

*35-0103-2401*, Property Tax Administrative Rules

*35-0201-2401*, Tax Commission Administration and Enforcement Rules

**IDAPA 39 – IDAHO TRANSPORTATION DEPARTMENT**

**39-ZBRR-2402**, Agency Omnibus ZBR Negotiated Rulemaking promulgates Title 03, Chapters 41, 60, 65.

Please refer to the Idaho Administrative Bulletin **July 3, 2024, Volume 24-7**, for the notices and text of all rulemakings, proclamations, negotiated rulemaking and public hearing information and schedules, executive orders of the Governor, and agency contact information.

*Electronic issues of the Idaho Administrative Bulletin can be viewed at [www.adminrules.idaho.gov/](http://www.adminrules.idaho.gov/)*

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