

Dear Senators SIDDOWAY, Stennett, Hill, and
Representatives LOERTSCHER, Monks, Smith:

The Legislative Services Office, Research and Legislation, has received the enclosed rules of the
Public Utilities Commission:

IDAPA 31.71.03 - Railroad Safety and Accident Reporting Rules - Proposed Rule (Docket No.
31-7103-1801).

Pursuant to Section 67-454, Idaho Code, a meeting on the enclosed rules may be called by the
cochairmen or by two (2) or more members of the subcommittee giving oral or written notice to Research
and Legislation no later than fourteen (14) days after receipt of the rules' analysis from Legislative
Services. The final date to call a meeting on the enclosed rules is no later than 10/23/2018. If a meeting is
called, the subcommittee must hold the meeting within forty-two (42) days of receipt of the rules' analysis
from Legislative Services. The final date to hold a meeting on the enclosed rules is 11/21/2018.

The germane joint subcommittee may request a statement of economic impact with respect to a
proposed rule by notifying Research and Legislation. There is no time limit on requesting this statement,
and it may be requested whether or not a meeting on the proposed rule is called or after a meeting has
been held.

To notify Research and Legislation, call 334-4854, or send a written request to the address on the
memorandum attached below.



Eric Milstead
Director

Legislative Services Office

Idaho State Legislature

Serving Idaho's Citizen Legislature

MEMORANDUM

TO: Rules Review Subcommittee of the Senate State Affairs Committee and the House State Affairs Committee
FROM: Deputy Division Manager - Katharine Gerrity
DATE: October 04, 2018
SUBJECT: Public Utilities Commission

IDAPA 31.71.03 - Railroad Safety and Accident Reporting Rules - Proposed Rule (Docket No. 31-7103-1801)

Summary and Stated Reasons for the Rule

The Public Utilities Commission submits notice of proposed rule at IDAPA 31.71.03 - Railroad Safety and Accident Reporting Rules. According to the commission, the rulemaking will allow commercially bottled water to be provided as drinking water for employees, along with other sources approved by the Department of Health and Welfare and approved water lines.

Negotiated Rulemaking / Fiscal Impact

The commission notes that negotiated rulemaking was not conducted due to the simple nature of the rule. There is no fiscal impact associated with the rulemaking.

Statutory Authority

The rulemaking appears to be authorized pursuant to Section 61-515, Idaho Code.

cc: Public Utilities Commission
Diane M. Hanian

*** PLEASE NOTE ***

Per the Idaho Constitution, all administrative rules must be reviewed by the Legislature during the next legislative session. The Legislature has 3 options with this rulemaking docket: **1)** Approve the docket in its entirety; **2)** Reject the docket in its entirety; or **3)** Reject the docket in part.

IDAPA 31 – IDAHO PUBLIC UTILITIES COMMISSION
31.71.03 – RAILROAD SAFETY AND ACCIDENT REPORTING RULES
DOCKET NO. 31-7103-1801
NOTICE OF RULEMAKING – PROPOSED RULE

AUTHORITY: In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that the Idaho Public Utilities Commission has initiated proposed rulemaking procedures. This action is authorized pursuant to Section 61-515, Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than October 17, 2018.

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

DESCRIPTIVE SUMMARY: The following is a nontechnical explanation of the substance and purpose of the proposed rulemaking:

Amends Section 102 regarding sanitary cups and sanitary drinking water by allowing commercially bottled water to be provided as drinking water for employees.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased: N/A

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year: N/A

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(1), Idaho Code, negotiated rulemaking was not conducted because this proposed rule is simple in nature.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the proposed rule, contact Edward Jewell, Deputy Attorney General, at (208) 334-0314.

Anyone may submit written comments regarding the proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before October 24, 2018.

Dated this 30th day of August, 2018.

Diane M. Hanian, Commission Secretary
Idaho Public Utilities Commission
Telephone: (208) 334-0338
Facsimile: (208) 334-3762

472 W. Washington
Boise, ID 83702-5918
PO Box 83720
Boise, ID 83720-0074

THE FOLLOWING IS THE PROPOSED TEXT OF DOCKET NO. 31-7103-1801
(Only Those Sections With Amendments Are Shown.)

102. SANITARY CUPS AND SANITARY DRINKING WATER (RULE 102).

01. Water. An adequate supply of cool, clean, sanitary water, satisfactory for drinking purposes, shall be made available to all employees. Drinking water shall be obtained only from sources approved by the State

Department of Health, ~~or~~ an approved water line, or commercially bottled water.

~~(7-1-93)~~()

02. Water Containers. When necessary, this water shall be provided in suitable, clean, sterilized and sanitary containers conveniently placed for the use of employees, but not in toilet rooms. Each container shall be equipped with an approved type of fountain, approved faucet, or other approved dispenser. (7-1-93)

03. Cleansed and Sterilized. All containers used to furnish drinking water shall be thoroughly cleansed and sterilized as often as necessary to assure a clean and sanitary water supply. (7-1-93)

04. Common Drinking Cup Prohibited. The common drinking cup for public use is prohibited; either single service containers or drinking fountains with sanitary angle head, shall be used in lieu thereof. (7-1-93)