

IDAPA 02 – DEPARTMENT OF AGRICULTURE

02.02.14 – RULES FOR WEIGHTS AND MEASURES

DOCKET NO. 02-0214-1901

NOTICE OF INTENT TO PROMULGATE RULES – NEGOTIATED RULEMAKING

AUTHORITY: In compliance with Sections 67-5220(1) and 67-5220(2), Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Section 71-111, 71-121, 71-408 Idaho Code.

MEETING SCHEDULE: A public meeting on the negotiated rulemaking will be held as follows:

PUBLIC MEETING
Tuesday, May 14, 2019 – 10:00 a.m. (MDT)
Idaho State Department of Agriculture 2270 Old Penitentiary Road Boise, Idaho 83712

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

METHOD OF PARTICIPATION: Persons wishing to participate in the negotiated rulemaking must do the following:

Interested members of the public who wish to participate may submit any written comments for the record, questions, recommendations, or ideas to the Idaho State Department of Agriculture addressed to Kevin.Merritt@isda.idaho.gov. Individuals may also attend the public meeting to be conducted on the above date during which the Idaho State Department of Agriculture will allow oral comments or presentations to be made. Persons wishing to join the negotiated rulemaking meeting by conference call must email Kevin.Merritt@isda.idaho.gov or call (208) 332-8690 twenty-four (24) hours prior to the meeting to obtain the teleconference number and directions for participation.

Upon conclusion of the negotiated rulemaking, any unresolved issues, all key issues considered, and conclusion reached during the negotiated rulemaking will be addressed in a written summary. The summary will be made available to interested persons who contact the agency or, if the agency chooses, the summary may be posted on the agency website.

DESCRIPTIVE SUMMARY AND STATEMENT OF PURPOSE: The following is a statement in nontechnical language of the substance and purpose of the intended negotiated rulemaking and the principal issues involved:

The ISDA's FY 2020 budget as recommended by the Governor included a directive for the agency to begin the process of raising fees and shifting a new Full Time Position onto dedicated funds for FY 2021. This rulemaking is submitted pursuant to fulfilling the Governor's directive to bring program fees better in line with program costs.

The proposal would increase the current license fees for commercial weighing and measuring devices in Table 1-A. The agency would also update Table 1-A to include electric vehicle charging stations, mass flow meters, and establish a license fee. In addition to the proposed changes, IDAPA 02.02.14 will be reviewed for amendment or repeal of select sections in order to comply with the Red Tape Reduction Act.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING DRAFT COPIES: For assistance on technical questions concerning this negotiated rulemaking or to obtain a preliminary draft copy of the rule text, contact Kevin Merritt, Section Manager, Weights and Measures at (208) 332-8690. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the ISDA web site at the following web address: www.agri.idaho.gov.

Anyone may submit written comments regarding this negotiated rulemaking. All written comments must be directed to the undersigned and must be delivered on or before May 31, 2019.

Dated this 4th day of April, 2019.

Brian Oakey, Deputy Director
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