

## **IDAPA 02 – Department of Agriculture**

### **02.02.14 – Rules For Weights and Measures**

**DOCKET NO. 02-0204-1403**

#### **NOTICE OF RULEMAKING - PROPOSED RULE**

**AUTHORITY:** In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Section 71-111, 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 September 17, 2014.

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made no 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:

Amend IDAPA 02.02.14, Section 014. The rule change will remove language requiring proration of device license fees.

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

IDAPA 02.02.14, Section 014 requires that a device license be prorated based on when a device is placed into service. The proposed change is to remove this language. This change will require new businesses or existing customers who add a device during the license period to pay the full license fee when a device is placed into service in lieu of prorating the license fee.

**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 as a result of this rulemaking:

There will be no fiscal impact to the General Fund. ISDA anticipates a positive impact of approximately \$500 in annual revenue to the Weights and Measures dedicated fund.

**NEGOTIATED RULEMAKING:** Pursuant to Section 67-5220(1), Idaho Code, negotiated rulemaking was conducted. The Notice of Intent to Promulgate Rules - Negotiated Rulemaking was published in the July 2, 2014 Idaho Administrative Bulletin, Vol. 14-7, page 21.

**INCORPORATION BY REFERENCE:** Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule: NA

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS:** For assistance on technical questions concerning the proposed rule, contact Stacie Ybarra, Program Specialist at (208)332-8692.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before September 24, 2014.

DATED this \_\_\_\_\_ day of July, 2014.

Brian J. Oakey  
Deputy Director  
Idaho State Department of Agriculture

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