

## **IDAPA 02 – DEPARTMENT OF AGRICULTURE**

### **02.06.25 - RULES GOVERNING THE PLANTING OF BEANS, OTHER THAN *PHASEOLUS* SPECIES, IN IDAHO**

#### **DOCKET NO. 02-0625-1301 (NEW CHAPTER - FEE RULE)**

#### **NOTICE OF RULEMAKING - ADOPTION OF PENDING FEE RULE**

**EFFECTIVE DATE:** This rule has been adopted by the agency and is now pending review by the (*year*) Idaho State Legislature for final approval. Pursuant to Section 67-5224(5)(c), Idaho Code, this pending rule will not become final and effective until it has been approved, amended, or modified by concurrent resolution of the legislature because of the fee being imposed or increased through this rulemaking. The rule becomes final and effective upon adoption of the concurrent resolution or upon the date specified in the concurrent resolution.

**AUTHORITY:** In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Section 22-2006, Idaho Code.

**DESCRIPTIVE SUMMARY:** The following is a concise explanatory statement of the reasons for adopting the pending rule and a statement of any change between the text of the proposed rule and the text of the pending rule with an explanation of the reasons for the change. There are no changes to the pending rule and it is being adopted as originally proposed. The complete text of the proposed rule was published in the October 2, 2013 Idaho Administrative Bulletin, Vol. 10-13, pages 21-28.

**FEE SUMMARY:** The following is a specific description of the fee or charge imposed or increased. This fee or charge is being imposed pursuant to pursuant to Section 22-2006, Idaho Code, the Department proposes to charge a minimum of \$250.00 for laboratory analysis on a per sample basis. ISDA proposes to charge \$3.50 per acre for field inspections, with a \$50.00 minimum. These fees are consistent with the fee structure for laboratory analysis and the current Rules Governing the Planting of Beans (IDAPA 02.06.06). Based on recent acreages planted (<1,000 acres) we do not expect this rule to generate more than \$10,000 in dedicated funds per year. Charges for nematode and soil testing will be at the prevailing rates of those labs capable and approved by the Department for that testing

**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**

**ASSISTANCE ON TECHNICAL QUESTIONS:** For assistance on technical questions concerning this pending rule, contact Michael E. Cooper, Bureau Chief Phone (208) 332-8620.

DATED this 6th day of November, 2013.

Brian J. Oakey, Deputy Director  
Idaho State Department of Agriculture  
2270 Old Penitentiary Rd  
P.O. Box 790  
Boise, ID 83701  
Phone: (208) 332-8500  
Fax: (208) 334-2170