



Tracking #: A210-2019-5
Status: DFM Analyst: Recommended 04/22/19
 Gov's Office: Recommended
 DFM Regulatory: Recommended 05/01/19
 DFM Admin:

Administrative Rules Request Form

<p>Agency Name: Agriculture, Department of</p> <p>Primary Contact: Jared Stuart Phone: 208-332-8620</p> <p>Secondary Contact: Phone:</p> <p>Person Authorizing Rule: Brian Oakey Phone: 208-332-8500</p>	<p>Submitted on: 04/17/2019</p> <p>Email: Jared.Stuart@isda.idaho.gov</p> <p>Email:</p> <p>Email: Brian.Oakey@ISDA.Idaho.gov</p>
<p>State or Federal Statute that Authorizes this Rule: Idaho Code Section 22-604</p>	
<p>IDAPA, Title, Chapter, and Section Number(s) (e.g. - 35.01.02.028): 02.06.12.004</p>	
<p>Administrative Bulletin for Publication: June 2019</p>	
<p>This rule is: <input checked="" type="checkbox"/> Proposed <input type="checkbox"/> Temporary</p>	
<p>Under the Red Tape Reduction Act (Executive Order 2019-02), this rulemaking (select all that apply):</p> <p><input type="checkbox"/> Increases regulatory requirements</p> <p><input type="checkbox"/> Decreases regulatory requirements</p> <p><input checked="" type="checkbox"/> Neither Increases nor decreases regulatory requirements</p> <p><input checked="" type="checkbox"/> Qualifies for an exemption</p> <p style="margin-left: 20px;"><input type="checkbox"/> This rule is required to comply with a new</p> <p style="margin-left: 40px;"><input type="checkbox"/> federal law</p> <p style="margin-left: 40px;"><input type="checkbox"/> state law</p> <p style="margin-left: 40px;"><input type="checkbox"/> court order</p> <p><input checked="" type="checkbox"/> Incorporates by reference only (does not include exceptions outlined in rule)</p> <p><input type="checkbox"/> Elimination or simplification of existing agency rules is not possible</p>	
<p>Agency has determined, according to Idaho Code 67-5220(1), that</p> <p><input checked="" type="checkbox"/> This rule will be negotiated with interested persons as outlined in Idaho Code 67-5220(3)</p> <p><input type="checkbox"/> Negotiation of this rule is not feasible</p>	
<p>Provide a short summary of the changes this rule makes:</p> <p>Changes to the rule will update the incorporated by referenced AAPFCO Official Publication, Merck Index and the AOAC Official Methods of Analysis to reference the most current edition and will update the rule to remove duplicate language between the rule text and the incorporated by reference publications to comply with Gov. Little's Executive Order 2019-02, Red Tape Reduction Act..</p>	
<p>Why is this rule needed? What prompted this request?</p> <p>IDAPA 02.06.12 incorporates by reference the AAPFCO Official Publication, Merck Index and the AOAC Official Methods of Analysis. The changes to the rule will change the references from the previous editions to the most current editions and will update standards, ingredients and definitions to make them congruent with the new publications. Changes will also be made to the rule to remove duplicate language in the rule where the language already exists in the publications incorporated by reference.</p>	
<p>List any affected parties and potential concerns they may have with this rule. How will the agency involve these parties in the negotiated rulemaking process?</p> <p>The parties of interest to this rule include members of the commercial fertilizer industry. The ISDA will hold negotiated rulemaking meetings with a scheduled location and time to allow for party participation and will reach out to all contacts with registered fertilizer products in Idaho as well as industry groups and representatives notifying them of the meeting time and place. The ISDA will also publish notice of these meetings with email and phone contact information made available in order to receive input from interested parties who may not be able to attend the scheduled meeting in person.</p>	

Provide the projected fiscal impact for all programs affected, including both positive and negative impacts to all fund sources (General, dedicated and federal):

The ISDA does not anticipate any fiscal impact to either general fund or dedicated funds.

What impact will this rule have on the competitiveness of businesses and individuals?

The changes to this rule will provide updated terms, definitions and standards to ensure producers and distributors do not encounter changing standards from state to state when producing and distributing product in Idaho and nationwide.

DFM Analyst: Amber Christofferson Recommended Not Recommended **Date:** 04/22/2019

Comments:

This will incorporate by reference The Association of American Plant Food Control Officials Official Publication, The Merck Index, and The Association of Official Agricultural Chemists publication.

Fiscal Impact Comments:

This will be subject to standard rulemaking expenditures.

Final Draft Review Analyst Recommendation: Recommended Not Recommended **Date:**

Governor's Office: Recommended Not Recommended **Date:**

Comments:

This is a simple references update to publications and also removes duplicative language.

DFM Regulatory Review: Colby Cameron Recommended Not Recommended **Date:** 05/01/2019

Comments:

Rule making seeks to remove and simplify existing rules in compliance with the Red Tape Reduction Act.

DFM Administrator Action: Alex Adams

Negotiation of proposed rule: Authorized to begin negotiated rulemaking Not Approved **Date:** 05/01/2019

Final Approval: Approved Not Approved **Date:**

Comments:

Are the projected fiscal impact and business impact statements still accurate? Yes No