

July 7, 2020

Brian Oakey, Deputy Director  
Idaho Department of Agriculture  
2270 Old Penitentiary Road  
P.O. Box 7249  
Boise, Idaho 83707

Subject: Docket No. 02.0214.2001 -- Rules for Weights & Measures  
Submitted via email to [brian.oakey@isda.idaho.gov](mailto:brian.oakey@isda.idaho.gov)

Comments submitted by IPM&CSA opposing Docket No. 02.0214.2001 Rules for Weights and Measures as published in the Idaho Administrative Bulletin June 3, 2020 – Vol. 20-6

Dear Mr. Oakey:

The Idaho Petroleum Marketers & Convenience Store Association (IPM&CSA) opposes the proposed rules, referenced above, as written. While we commend the work of the Idaho Weights and Measures Program, we cannot support the proposal for a 77% increase in overall budget in a single year and ongoing. Also, because this program primarily serves and protects Idaho consumers, we strongly believe that General Fund dollars should provide at least fifty percent of program funding.

We commend the Department for clarifying several issues raised in the 2019 rule-making process and believe they have provided much improved information to explain their costs, resource allocation, and future planning. We nonetheless have fundamental concerns with an overall budget that is 77% higher than the current one, the increase being entirely funded through user fees. Additionally, while we can live with a 50/50 funding split between General Funds and user fees, we cannot support increasing that split from 44% to 56% as currently proposed.

- We believe a 77% increase in the program budget is excessive, and do not believe that ongoing expenses of the program justify such an extreme increase.
- While we understand the need for capital expenditures for new equipment and to expand staff, new costs should be phased in over at least three years.
- We do not believe it is reasonable to expect industry to carry the entire burden of these new and ongoing expenses.
- We believe the fees paid should be proportional to the workload for that industry sector and devices involved and we commend the Department for better aligning these costs in the 2020 proposal.
- The General Fund should continue to pay a significant proportion of program expenses, at minimum, fifty percent of the program, as consumer protection is a critical part of the program's mission and all Idahoans benefit as a result.

We appreciate the opportunity to participate in the June 23, 2020 rule-making to discuss program activities, budgeting future projections, and reserve requirements. With minor modifications, we believe the agency and the regulated community can reach an amicable solution which would allow all parties to support the final proposal before the 2021 legislative session.

IPM&CSA represents Idaho's wholesale fuel distributors and retail fuel outlets and their associated convenience stores throughout the state. Our members supply fuel to consumers, farmers and ranchers, municipalities, businesses, schools and others state-wide. We have long enjoyed good relations with the Weights and Measures program, and we appreciate the opportunity to continue discussions to reach a mutually-agreeable solution to achieve sustainable program funding.

Sincerely,

*Suzanne Budge*

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