

Dear Senators McKENZIE, Fulcher and Malepeai, and  
Representatives LOERTSCHER, Crane and Elaine Smith:

The Legislative Services Office, Research and Legislation, has received the enclosed rules of  
the Secretary of State:

IDAPA 34-05-01 - Rules Governing Farm Products Central Filing System (Docket #34-0501-1101)

Pursuant to Section 67-454, Idaho Code, a meeting on the enclosed rules may be called by the  
cochairmen or by two (2) or more members of the subcommittee giving oral or written notice to Research  
and Legislation no later than fourteen (14) days after receipt of the rules, analysis from Legislative  
Services. The final date to call a meeting on the enclosed rules is no later than 07/19/2011. If a meeting  
is called, the subcommittee must hold the meeting within forty-two (42) days of receipt of the rules,  
analysis from Legislative Services. The final date to hold a meeting on the enclosed rules is 08/16/2011.

The germane joint subcommittee may request a statement of economic impact with respect to a  
proposed rule by notifying Research and Legislation. There is no time limit on requesting this statement,  
and it may be requested whether or not a meeting on the proposed rule is called or after a meeting has  
been held.

To notify Research and Legislation, call 334-4845, or send a written request to the address or FAX  
number indicated on the memorandum enclosed.



Jeff Youtz  
Director

# Legislative Services Office Idaho State Legislature

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*Serving Idaho's Citizen Legislature*

## MEMORANDUM

**TO:** Rules Review Subcommittee of the Senate State Affairs Committee and the House State Affairs Committee  
**FROM:** Eric Milstead, Principal Legislative Research Analyst, LSO  
**DATE:** June 29, 2011  
**SUBJECT:** Secretary of State

34.05.01 - Rules Pertaining To The Rules Governing Farm Products Central Filing System (Docket No. 34-0501-1101)

The Secretary of State submits notice of temporary and proposed rulemaking at IDAPA 34.05.01 -- Rules Governing Farm Products Central Filing System. The temporary and proposed rule restores information that was eliminated in rulemaking during 2010. Specifically, county code and unit code tables in the Collateral Information Codes section of rules governing the Farm Products Central Filing System, are being restored to the rule. (See, Rule 200.02 and 200.03). The agency notes that the county code and unit code tables are a benefit to users of the Farm Products Central Filing System and the Secretary of State is promulgating this rule to provide that information in the rule.

The temporary and proposed rule appears to be authorized pursuant to section 67-903(9), Idaho Code.

cc: Secretary of State  
Jeff Harvey, UCC Supervisor

## IDAPA 34 - SECRETARY OF STATE

### 34.05.01 - RULES GOVERNING FARM PRODUCTS CENTRAL FILING SYSTEM

#### DOCKET NO. 34-0501-1101

#### NOTICE OF RULEMAKING - TEMPORARY AND PROPOSED RULE

**EFFECTIVE DATE:** The effective date of the temporary rule is April 7, 2011.

**AUTHORITY:** In compliance with Sections 67-5221(1) and 67-5226, Idaho Code, notice is hereby given that this agency has adopted a temporary rule, and proposed rulemaking procedures have been initiated. The action is authorized pursuant to Section 67-903(9), 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 June 15, 2011.

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

**DESCRIPTIVE SUMMARY:** The following is the required finding and concise statement of its supporting reasons for adopting a temporary rule and a nontechnical explanation of the substance and purpose of the proposed rulemaking:

In 2010, the Secretary of State promulgated rules, which, in part, removed the county code and unit code tables from the Collateral Information Codes section of its rules governing Farm Products Central Filing System. That rulemaking was approved by the 2011 Legislature. Upon further consideration, it has been determined that these tables are a benefit to users of the Farm Products Central Filing System and the Secretary of State is promulgating this rule change to include the county code and unit code tables in its rules.

**TEMPORARY RULE JUSTIFICATION:** Pursuant to Section(s) 67-5226(1)(c), Idaho Code, the Governor has found that temporary adoption of the rule is appropriate for the following reasons:

The addition of county code and unit code tables to the Collateral Information Codes section of the rules governing Farm Products Central Filing System provides a benefit to users of the System.

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

**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: None.

**NEGOTIATED RULEMAKING:** Pursuant to Section 67-5220(2), Idaho Code, negotiated rulemaking was not conducted because of the need for temporary rulemaking.

**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: N/A

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS:** For assistance on technical questions concerning the temporary and proposed rule, contact Jeff Harvey, UCC Supervisor, at (208) 332-2849.

Anyone may submit written comments regarding the proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before June 22, 2011.

DATED this 12<sup>th</sup> day of May 2011.

Jeff Harvey, UCC Supervisor  
Office of the Secretary of State  
450 N. 4<sup>th</sup> St.  
P. O. Box 83720  
Boise, ID 83720-0080  
Phone: (208) 332-2849  
Facsimile: (208) 334-2847

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**THE FOLLOWING IS THE TEXT OF THE TEMPORARY RULE AND THE  
PROPOSED RULE TEXT FOR DOCKET NO. 34-0501-1101**

**200. COLLATERAL INFORMATION CODES.**

Codes are used to describe farm product collateral on the Farm Products Financing Statements and amendments, on the master list maintained by the SOS, and on the PMLs distributed to registered buyers, commission merchants, and selling agents. Assignment of farm product codes and PML Groupings, county codes, and farm product unit codes shall be done by the SOS. The SOS will provide a list of the established codes upon request. (4-7-11)T

01. PML Groupings and Farm Product Codes. The table of PML Groupings, farm products, and their codes is as follows:

PML No.	PML Grouping	FP Code	FP Name
01	Wheat and Buckwheat	010	Wheat
		011	Buckwheat
02	Feed and Oil Grains	020	Barley
		021	Rye (including Triticale)
		022	Oats
		023	Sorghum Grain
		024	Flaxseed
		025	Safflower
		026	Rape (including Canola)
		027	Field Corn
		028	Millet
03	Hay	030	Hay
04	Ensilage	040	Ensilage
05	Potatoes	050	Potatoes

PML No.	PML Grouping	FP Code	FP Name
06	Sugar Beets	060	Sugar Beets
07	Dry Beans	070	Dry Beans
08	Dry Peas, Lentils and Garbanzos	080	Dry Peas
		081	Lentils
		082	Garbanzos (Chick Peas)
09	Sweet Corn	090	Sweet Corn
10	Onions and Garlic	100	Onions
		101	Onion Seed
		102	Garlic
11	Mint	110	Mint
12	Hops	120	Hops
13	Popcorn & Sunflower Seeds	130	Popcorn
		131	Sunflower Seeds
14	Soybeans	140	Soybeans
15	Rice	150	Rice
16	Seeds	160	Grass for Seed
		161	Alfalfa for Seed
		162	Other Hay Legumes for Seed
		163	Garden Vegetables and Flower Seeds
		164	Seed Potatoes
		165	Row Crops for Seed
17	Vegetables & Melons	170	Green Peas
		171	Tomatoes

PML No.	PML Grouping	FP Code	FP Name
		172	Lettuce
		173	Cucumbers
		174	Broccoli
		175	Cauliflower
		176	Lima Beans
		177	Green Beans
		178	Melons
		179	Carrots
		180	Turnips
		181	Asparagus
		182	Spinach and Collards
		183	Pumpkins and Squash
		184	Radishes
		185	Peppers
		186	Herbs
19	Fruits	190	Apples
		191	Apricots
		192	Cherries
		193	Nectarines
		194	Peaches
		195	Pears
		196	Plums
20	Berries	200	Strawberries
		201	Raspberries
21	Nursery Products	210	Sod
		211	Nursery Stock (Trees and Shrubs)
		212	Christmas Trees
		213	Flowers and Potted Plants
22	Mushrooms	220	Mushrooms

<b>PML No.</b>	<b>PML Grouping</b>	<b>FP Code</b>	<b>FP Name</b>
23	Grapes	230	Grapes
50	Beef Animals	500	Beef Cattle and Calves
		501	Beefalo
		502	Bison
51	Sheep, Wool	510	Sheep and Lambs Goats and Llamas
		511	Wool
		512	Goats
		513	Llamas
52	Hogs	520	Hogs
53	Dairy	530	Dairy Cattle
		531	Milk
54	Equines	540	Horses
		541	Mules
		542	Donkeys and Burros
55	Chickens and Eggs	550	Chickens
		551	Eggs
56	Other Fowl	560	Turkeys
		561	Ducks
		562	Geese
		563	Game Birds
		564	Ostriches, Emus, and Rheas
57	Mink, Rabbits and Fox	570	Mink and Pelts
		571	Rabbits
		572	Fox and Pelts
58	Apiary Products	580	Bees

PML No.	PML Grouping	FP Code	FP Name
		581	Honey
		582	Bees Wax
59	Fish and Other Aquaculture	590	Fish and Other Aquaculture
60	Big Game Animals (Deer and Elk)	600	Big Game Animals (Deer and Elk)
61	Worms	610	Worms
62	Semen	620	Cattle Semen
		621	Horse Semen

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**02. County Codes.** The table of county codes is as follows. Unless otherwise indicated, counties are in Idaho.

<u>01</u>	<u>Ada</u>	<u>16</u>	<u>Cassia</u>	<u>31</u>	<u>Lewis</u>	<u>46</u>	<u>Garfield, Wa.</u>
<u>02</u>	<u>Adams</u>	<u>17</u>	<u>Clark</u>	<u>32</u>	<u>Lincoln</u>	<u>47</u>	<u>Pend Orielle, Wa.</u>
<u>03</u>	<u>Bannock</u>	<u>18</u>	<u>Clearwater</u>	<u>33</u>	<u>Madison</u>	<u>48</u>	<u>Spokane, Wa.</u>
<u>04</u>	<u>Bear Lake</u>	<u>19</u>	<u>Custer</u>	<u>34</u>	<u>Minidoka</u>	<u>49</u>	<u>Whitman, Wa.</u>
<u>05</u>	<u>Benewah</u>	<u>20</u>	<u>Elmore</u>	<u>35</u>	<u>Nez Perce</u>	<u>50</u>	<u>Malheur, Or.</u>
<u>06</u>	<u>Bingham</u>	<u>21</u>	<u>Franklin</u>	<u>36</u>	<u>Oneida</u>	<u>51</u>	<u>Elko, Nv.</u>
<u>07</u>	<u>Blaine</u>	<u>22</u>	<u>Fremont</u>	<u>37</u>	<u>Owyhee</u>	<u>52</u>	<u>Box Elder, Ut.</u>
<u>08</u>	<u>Boise</u>	<u>23</u>	<u>Gem</u>	<u>38</u>	<u>Payette</u>	<u>53</u>	<u>Cache, Ut.</u>
<u>09</u>	<u>Bonner</u>	<u>24</u>	<u>Gooding</u>	<u>39</u>	<u>Power</u>	<u>54</u>	<u>Rich, Ut.</u>
<u>10</u>	<u>Bonneville</u>	<u>25</u>	<u>Idaho</u>	<u>40</u>	<u>Shoshone</u>	<u>55</u>	<u>Lincoln, Wy.</u>
<u>11</u>	<u>Boundary</u>	<u>26</u>	<u>Jefferson</u>	<u>41</u>	<u>Teton</u>	<u>56</u>	<u>Teton, Wy.</u>
<u>12</u>	<u>Butte</u>	<u>27</u>	<u>Jerome</u>	<u>42</u>	<u>Twin Falls</u>	<u>57</u>	<u>Beaverhead, Mt.</u>
<u>13</u>	<u>Camas</u>	<u>28</u>	<u>Kootenai</u>	<u>43</u>	<u>Valley</u>	<u>58</u>	<u>Lincoln, Mt.</u>
<u>14</u>	<u>Canyon</u>	<u>29</u>	<u>Latah</u>	<u>44</u>	<u>Washington</u>	<u>59</u>	<u>Sanders, Mt.</u>
<u>15</u>	<u>Caribou</u>	<u>30</u>	<u>Lemhi</u>	<u>45</u>	<u>Asotin, Wa.</u>	<u>99</u>	<u>Not in Table</u>

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**03. Unit Codes.** The table for codes for units used to indicate the amount of a FP covered is as follows:

<u>A - acres</u>	<u>G - gallons</u>	<u>T - tons</u>
<u>B - bushels</u>	<u>H - head</u>	<u>V - hives</u>



<u>C - hundred weight</u>	<u>L - pounds</u>	<u>W - lugs</u>
<u>E - cases</u>	<u>N - bins</u>	<u>X - boxes</u>
<u>F - flats</u>	<u>S - sacks</u>	<u>Z - stubs</u>

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