

MAR 29 2012



North Dakota State
NDSSD
Seed Department

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Kenneth J. Bertsch
State Seed Commissioner

March 29, 2012

Mr. John Walstad
Code Revisor
North Dakota Legislative Council
State Capitol
600 East Boulevard, 2nd Floor
Bismarck, ND 58505-0360

Dear Mr. Walstad:

The Notice of Intent to Adopt and Amend Administrative Rules and a copy of the proposed rules are enclosed as required by N.D.C.C. § 28-32-10(1).

Sincerely,

Ken Bertsch
ND State Seed Commissioner

Enclosures

NOTICE OF INTENT TO
ADOPT AND AMEND ADMINISTRATIVE RULES

TAKE NOTICE that the North Dakota State Seed Department will hold a public hearing to address proposed amendments to N.D. Admin. Code title 74, chapter 74-03-01 (General Seed Certification Requirements), sections 74-03-01-03 (Eligibility Requirements); 74-03-01-04 (Classes), 74-03-01-09 (Field Inspection), 74-03-01-11 (Seed Conditioning), 74-03-01-12 (Labeling), 74-03-01-13 (Preissued Certification Tags), 74-03-01-14 (Carryover Seed), 74-03-01-15 (Applicants Responsibility), 74-03-01-16 (Approved Conditioners), 74-03-01-17 (Interagency Certification); chapter 74-03-02 (Specific Crop Requirements-Small Grains and Flax), chapter 74-03-03 (Specific Crop Requirements-Alfalfa), chapter 74-03-07.1 (Specific Crop Requirements-Buckwheat), chapter 74-03-08 (Specific Crop Requirements-Millet), 74-03-09 (Specific Crop Requirements- mustard, Crambe, Canola), chapter 74-03-10 (Specific Crop Requirements-Safflower), chapter 74-03-11 (Specific Crop Requirements-Sunflower), chapter 74-03-12 (Specific Crop Requirements-Soybeans, Chickpeas and Lentils), chapter 74-03-12.1 (Specific Crop Requirements- Field Peas), chapter 74-03-13 (Specific Crop Requirements (Dry field Beans); article 74-04 (Seed Potato Certification Standards), chapter 74-04-01 (Seed Potato Certification Standards), sections 74-04-01-02 (General Requirements and responsibilities), 74-04-01-08 (Field Inspection Standards), 74-04-01-09 (Postharvest Testing Program), 74-04-01-10 (Storage and Packaging Requirements), 74-04-01-11 (Official North Dakota Seed Potato Grades) and to adopt a new chapter 74-03-09.1 (Specific Crop Requirements- Hybrid Canola and Rapeseed) at 10:00 am on May 21st, 2012 at the North Dakota State Seed Department, 1313 18th St. N., Fargo, ND 58105. The purpose of the proposed amendments is to update and revise outdated rules and reorganize administrative code. The proposed adoption addresses implementation of a new crop specific chapter. The proposed amendment is not expected to have an impact on the regulated community in excess of \$50,000.

The proposed rules may be reviewed at the office of the ND State Seed Department, 1313 18th St. N., Fargo, ND 58105. A copy of the proposed rules may be requested by writing the above address or calling 701-231-5400. The proposed rules may also be viewed on the State Seed Department web page, ndseed.com. Written or oral comments on the proposed rules sent to the above address or telephone number and received by May 31st, 2012 will be fully considered.

If you plan to attend the public hearing and will need special facilities or assistance relating to a disability, please contact the ND State Seed Department at the above telephone number or address at least 5 days prior to the public hearing.

Dated this 30th day of March, 2012.

Kenneth J. Bertsch
North Dakota State Seed Commissioner