



Proposed/Temporary Administrative Rules Form

Section 1 (To be Completed by Agency)

Agency Name: Idaho State Department of Agriculture		STARS Agency Code: 210	Fax Number: 208-334-4062	Date: 4/22/14
Contact Person: Scott Leibsle	Title: Deputy State Veterinarian; Animal Health Bureau Chief	Phone: 208-332-8614	Email: scott.leibsle@agri.idaho.gov	
Person Authorizing Rule: Brian Oakey	Title: Deputy Director	Phone: 208-332-8500	Email: brian.oakey@agri.idaho.gov	

Statutory Authority for the rule making (Idaho Code, Federal Statute or Regulation):
Idaho Code § 25-3704

Title, Chapter, and Possible Docket (IDAPA) Number:
IDAPA 02.04.19 Rules Governing Domestic Cervidae

This rule is: Proposed Temporary **Effective Date:**

If this is a temporary rule:

- Necessary to protect the public health, safety, or welfare; or
- Compliance with deadlines in amendments to governing law or federal programs; or
- Conferring a benefit.

Please explain:

If this is a temporary rule which imposes a fee or charge, provide justification as described in Idaho Code 67-5226(2):

Agency has determined according to Idaho Code 67-5220(1):

This rule is to be negotiated Negotiation of this rule is not feasible

If rule is negotiated:

Agency certifies that the rule has been or will be negotiated with interested persons as outlined in Idaho Code 67-5220(3). *(indicate which)*

If rule negotiation is not feasible, the agency has determined:

- Rule is temporary; or
- Lack of identifiable representatives of affected interests; or
- Rule is simple in nature; or
- Affected interests are not likely to reach consensus; or
- Other.

Please explain:

Provide a fiscal impact statement for all programs affected. Be sure to reflect both positive and negative impacts and to include all fund sources including both the General Fund and dedicated funds: . ISDA anticipates a net positive fiscal impact to the industry and to the dedicated fund utilized to manage the domestic cervidae program.

Provide a short explanation of the need for this rule:
An amendment to Idaho Code Title 25 Chapter 37 was passed by the 2014 Idaho Legislature. This negotiated rulemaking will be to make 02.04.19 consistent with the changes implemented to Idaho Code § 25-37.

<p>Provide a short summary of the changes this rule makes: IDAPA 02.04.19.090 - The rule change will establish the new fee schedule for cervidae producers, collected by ISDA, to cover the cost of administering the program. IDAPA 02.04.19.500 - The rule change will establish the new required frequency of testing for Chronic Wasting Disease for elk that die or are harvested on cervidae facilities. IDAPA 02.04.19.101 - Frequency of required facility inspections will also be reduced to coincide with the statutory amendment.</p>	
<p>Provide a list of those persons or interest group(s) affected by this rule: Idaho domestic cervidae producers, Idaho Sportsmen's Caucus Advisory Council, and other interested parties.</p>	
<p>Section 2 (To be Completed by DFM)</p>	
<p>DFM Analyst Comments: Changes are necessary to be consistent with Idaho Code that was changed during the 2014 session.</p>	
<p>DFM Analyst Fiscal Impact Review: Currently this program is underfunded with the new fee structure they should become self-sustaining.</p>	
<p>DFM Analyst Signature & Date: Anita Hamann, May 5, 2014</p>	<p>Recommend: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>Gov Special Assistant Signature & Date: Cally Younger, May 8, 2014</p>	<p>Recommend: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>DFM Administrator Action: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Authorized to Advance Rulemaking Process, DFM to review draft rule prior to publication (See Section 3) <input type="checkbox"/> Not Approved</p>	
<p>DFM Administrator Signature & Date:  5/9/2014</p>	
<p>Section 3 (To Be Completed By DFM if Required)</p>	
<p>DFM Analyst Signature & Date:</p>	<p>Recommend: <input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>DFM Administrator Signature & Date:</p>	<p>Approved: <input type="checkbox"/> Yes <input type="checkbox"/> No</p>

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