

## **IDAPA 02 – DEPARTMENT OF AGRICULTURE**

### **02.04.20 - RULES GOVERNING BRUCELLOSIS**

#### **DOCKET NO. 02-0419-1301**

### **NOTICE OF RULEMAKING – PROPOSED RULE**

**AUTHORITY:** In compliance with Sections 67-5220(1) and 67-5220(2), Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Section 25-203 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 September 18, 2013.

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 a statement in nontechnical language of the substance and purpose of the proposed rulemaking:

Section 02.04.20.123. – To establish a process through which a producer obtains a required permit prior to movement of any cattle out of the Designated Surveillance Area (DSA).

**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 as a result of this rulemaking: ISDA does not anticipate any fiscal impact from the changes to be made to the Rule during the rulemaking.

**NEGOTIATED RULEMAKING:** Pursuant to Section 67-5220(1), Idaho Code, negotiated rulemaking was conducted. The Notice of Intent to Promulgate Rules - Negotiated Rulemaking was published in the July 3, 2013 Idaho Administrative Bulletin, Volume 13-7, page 23. A negotiated rulemaking meeting was held at the Fremont County Annex in St. Anthony, Idaho on July 11; there were many visitors in attendance and multiple comments were accepted on the proposed rule.

**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 this proposed rule, contact Dr. Scott Leibsle, Deputy Administrator – Division of Animal Industries at (208) 332-8540.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to Dr. Scott Leibsle and must be delivered on or before September 18, 2013. Comments can be delivered via email to [scott.leibsle@agri.idaho.gov](mailto:scott.leibsle@agri.idaho.gov) or via regular mail to Dr. Scott Leibsle's attention at the address listed below.

DATED this 2nd day of August, 2013.

Brian J. Oakey, Deputy Director  
Idaho State Department of Agriculture  
2270 Old Penitentiary Rd  
P.O. Box 790

Boise, Idaho 83701  
Phone: (208) 332-8500  
Fax: (208) 334-2170