

IDAPA 02 – DEPARTMENT OF AGRICULTURE

02.04.19 - RULES GOVERNING DOMESTIC CERVIDAE

DOCKET NO. 02-0419-1201

NOTICE OF RULEMAKING – ADOPTION OF PENDING RULE

EFFECTIVE DATE: This rule has been adopted by the agency and is now pending review by the 2013 Idaho State Legislature for final approval. The pending rule becomes final and effective at the conclusion of the legislative session, unless the rule is approved, rejected, amended or modified by concurrent resolution in accordance with Section 67-5224 and 67-5291, Idaho Code. If the pending rule is approved, amended or modified by concurrent resolution, the rule becomes final and effective upon adoption of the concurrent resolution or upon the date specified in the concurrent resolution.

AUTHORITY: In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Section 25-221 Idaho Code.

DESCRIPTIVE SUMMARY: The following is a nontechnical explanation of the substance and purpose of the proposed rulemaking:

Amend section *011.04*. The acronym AZA, defined as the American Zoological Association, is incorrect. The correct definition for AZA is the American Association of Zoos and Aquarium.

Amend section *450.01* to allow the Administrator to grant exemptions to the change of ownership tuberculosis (TB) testing requirement for domestic cervidae on a case-by-case basis, based upon individual circumstances. This would allow cervidae farms that maintain their herd to conform to all TB testing requirements to be sold to another producer without losing their test status. The new owner of the herd may then be granted an exemption as the herd test status will not have changed, only the ownership of the animals.

The pending rule is being adopted as proposed. The complete text of the proposed rule was published in the October 3, 2012 Idaho Administrative Bulletin, Vol. 12-10, page 29.

IDAHO CODE SECTION 22-101A STATEMENT: This rule does not regulate an activity not regulated by the federal government, nor is it broader in scope or more stringent than federal regulations.

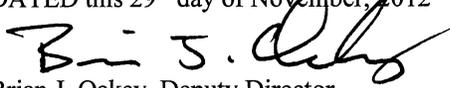
FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased: N/A

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 resulting from this rulemaking:

ISDA does not anticipate any fiscal impact from the changes to be made to this Rule during this rulemaking.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: Technical questions concerning the proposed rule may be directed to Dr. Scott Leibsle, Deputy Administrator, 208-332-8540.

DATED this 29th day of November, 2012

A handwritten signature in black ink, appearing to read "Brian J. Oakey". The signature is written in a cursive style with a large initial "B".

Brian J. Oakey, Deputy Director
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