



Tracking #: A210-2019-10
Status: DFM Analyst: Recommended 04/22/19
 Gov's Office: Recommended 05/03/19
 DFM Regulatory: Recommended 05/03/19
 DFM Admin:

Administrative Rules Request Form

Agency Name: Agriculture, Department of	Submitted on: 04/17/2019
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Secondary Contact: Phone:	Email:
Person Authorizing Rule: Brian Oakey Phone: 208-332-8500	Email: Brian.Oakey@ISDA.Idaho.gov
State or Federal Statute that Authorizes this Rule: Idaho Code Title 25, Chapter 2, 6 and Title 37, Chapter 35	
IDAPA, Title, Chapter, and Section Number(s) (e.g. - 35.01.02.028): 02.04.20.100	
Administrative Bulletin for Publication: June 2019	
This rule is: <input checked="" type="checkbox"/> Proposed <input type="checkbox"/> Temporary	
Under the Red Tape Reduction Act (Executive Order 2019-02), this rulemaking (select all that apply):	
<input checked="" type="checkbox"/> Increases regulatory requirements <input checked="" type="checkbox"/> Decreases regulatory requirements <input type="checkbox"/> Neither Increases nor decreases regulatory requirements <input type="checkbox"/> Qualifies for an exemption	
Agency has determined, according to Idaho Code 67-5220(1), that	
<input checked="" type="checkbox"/> This rule will be negotiated with interested persons as outlined in Idaho Code 67-5220(3) <input type="checkbox"/> Negotiation of this rule is not feasible	
Provide a short summary of the changes this rule makes:	
1) Reduce the brucellosis test eligible age of all sexually intact cattle and domestic bison to twelve (12) months; and 2) Remove the "Idaho origin" requirement as a prerequisite to adult vaccination for brucellosis. In addition to the proposed changes, IDAPA 02.04.20 will be reviewed for amendment or repeal of select sections in order to comply with Gov. Little's Executive Order 2019-02, Red Tape Reduction Act.	
Why is this rule needed? What prompted this request?	
1) Following the 2018 audit of Idaho's brucellosis program, the USDA directed Idaho to lower the brucellosis test eligible age to twelve (12) months to gain consistency with the two other Greater Yellowstone Area (GYA) states (MT & WY). 2) Idaho origin requirement of all cattle to be adult vaccinated for brucellosis is an unnecessary regulation that no longer poses a risk to the cattle industry.	
List any affected parties and potential concerns they may have with this rule. How will the agency involve these parties in the negotiated rulemaking process?	
Cattle producers that run cattle in Idaho's Designated Surveillance Area (DSA) will be affected by this rule change. Outreach and invitations to attend rulemaking to these stakeholders will be facilitated using industry groups such as the Idaho Cattleman's Association, Idaho Farm Bureau and Idaho Dairyman's Association.	
Provide the projected fiscal impact for all programs affected, including both positive and negative impacts to all fund sources (General, dedicated and federal):	
The cost required to test the additional groups of cattle will potentially be a negative impact to the general and dedicated funds used to operate Animal Industries. Additional federal cooperative agreement funding will be requested to cover the increased testing expenses. Removing the "Idaho origin" requirement will have no fiscal impact to Animal Industries programs.	
What impact will this rule have on the competitiveness of businesses and individuals?	
This rule change is necessary to maintain consistency with the other GYA states and avoid additional regulations imposed by trading partner states that perceive Idaho's brucellosis program is not comprehensive enough to identify all potentially exposed cattle prior to shipment to other states. 2) This rule change will remove an unnecessary restriction on producers that import cattle from other states and allow them to vaccinate the animals on arrival. Ultimately, it will make Idaho cattle producers more competitive and potentially reduce operating costs.	

DFM Analyst:	Amber Christofferson	<input checked="" type="checkbox"/> Recommended	<input type="checkbox"/> Not Recommended	Date: 04/22/2019
Comments: This increase in regulation from this rule will be due to direction from the USDA and therefore could maybe fall under an exemption. The additional piece in rulemaking will reduce regulatory burden by removing the "Idaho Origin" label which as been a prerequisite to brucellosis vaccinations in adult cattle and bison.				
Fiscal Impact Comments: The fiscal impact to the state should be covered by federal cooperative agreement funding.				
Final Draft Review Analyst Recommendation:		<input type="checkbox"/> Recommended	<input type="checkbox"/> Not Recommended	Date:
Governor's Office:	Sam Eaton	<input checked="" type="checkbox"/> Recommended	<input type="checkbox"/> Not Recommended	Date: 05/03/2019
Comments: This will potentially reduce burdens and create consistency for the import/export of cattle.				
DFM Regulatory Review:	Colby Cameron	<input checked="" type="checkbox"/> Recommended	<input type="checkbox"/> Not Recommended	Date: 05/03/2019
Comments: Just a reminder to be reviewing current rules, and to draft all proposed rules to be clear and concise. Even if the rule fits an exemption, we will be monitoring overall word count for the agency for every rule that is approved during the Red Tape Reduction Act.				
DFM Administrator Action: Alex Adams				
Negotiation of proposed rule:		<input checked="" type="checkbox"/> Authorized to begin negotiated rulemaking	<input type="checkbox"/> Not Approved	Date: 05/03/2019
Final Approval:		<input type="checkbox"/> Approved	<input type="checkbox"/> Not Approved	Date:
Comments:				
Are the projected fiscal impact and business impact statements still accurate? <input type="checkbox"/> Yes <input type="checkbox"/> No				