

**IDAPA 11 – IDAHO STATE POLICE
STATE BRAND BOARD**

11.02.01 – RULES OF THE IDAHO STATE BRAND BOARD

DOCKET NO. 11-0201-2401

NOTICE OF INTENT TO PROMULGATE RULES – NEGOTIATED RULEMAKING

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 and input prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Section(s) 25-1102, 25-1110, and 25-1160 Idaho Code.

MEETING SCHEDULE: A public meeting on the negotiated rulemaking will be held as follows:

<p>Wednesday, July 24, 2024 10:00 a.m. MT</p>
<p>In Person: Idaho State Police Headquarters 700 S Stratford Dr. Meridian, ID 83642 (Meeting to be held in Building 9 Conference Room)</p> <p>Join by meeting link</p> <p>Join by meeting number Meeting ID (access code): 290 174 641 053 Passcode: d6cHbL</p> <p>Join by phone +1 872-215-6990,,539218522# United States, Chicago Phone Conference ID: 539 218 522#</p>

Additional meetings will be held if deemed necessary or at request as determined by the Idaho State Brand Board. If additional meetings are scheduled, they will be announced at a later date on Townhall Idaho at <https://townhall.idaho.gov/> and on the Idaho Brand Board website at <https://isp.idaho.gov/brands/>.

The meeting site(s) will be accessible to persons with disabilities, if needed. Requests for accommodation must be made not later than five (5) days prior to the meeting to the agency address below.

METHOD OF PARTICIPATION: Persons wishing to participate in the negotiated rulemaking must do the following:

Interested members of the public who wish to participate must submit written comments, questions, recommendations, or ideas addressed to the Idaho State Brand Board, State Brand Inspector, Cody D. Burlile, by mail at P.O. Box 1177 Meridian, ID 83680-1177, or in person at 700 S. Stratford Dr., Meridian, Idaho 83642, or by email to Cody.Burlile@isp.idaho.gov. Individuals are also encouraged to attend scheduled meetings in person on the above date(s) during which the Idaho State Brand Board will allow oral comments and discussion. All oral comments or presentations must also be submitted in writing for the record on or before August 1, 2024.

Upon conclusion of the negotiated rulemaking, any unresolved issues, all key issues considered, and conclusion reached during the negotiated rulemaking will be addressed in a written summary. The summary will be made available to interested persons who contact the agency or, if the agency chooses, the summary may be posted on the agency website.

DESCRIPTIVE SUMMARY AND STATEMENT OF PURPOSE: The following is a statement in nontechnical language of the substance and purpose of the intended negotiated rulemaking and the principal issues involved:

The Idaho State Brand Board (Board) is funded solely by the dedicated revenue generated from the livestock industries for carrying out brand inspections, brand recordings, brand renewals, and livestock dealer licensing. This proposed rulemaking is an integral part of a long-range plan to address continued budget shortfalls within the Idaho Brand Board and which have been discussed at length within the “Industry Stakeholder Brand Fee Working Group” formulated in 2022. Currently, the Board’s fees are capped in statute with language that allows the Board to adjust said fees under the cap from time to time whenever the cost of administering and enforcing the laws of the state of Idaho for brand inspection of livestock can be maintained below maximum fees. In addition, the Board’s fees are duplicated in rule (IDAPA 11.02.01) causing regulatory repetition, undue rule maintenance and publication costs, as well as regulatory friction when necessary adjustments are warranted. This rulemaking eliminates duplicated language, reduces regulatory burden, and serves true to legislative intent. This rulemaking is proposed in anticipation of the Board carrying out executive legislation to introduce statutory language to further clarify process on how the Board will determine and notify stakeholders of fee adjustments under the maximum cap.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING DRAFT COPIES: For assistance on technical questions concerning this negotiated rulemaking or to obtain a preliminary draft copy of the rule text, contact State Brand Inspector, Cody Burlile at (208) 884-7070 or by email at Cody.Burlile@isp.idaho.gov. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the Idaho Brand Board web site at the following web address: <https://isp.idaho.gov/brands/>.

Anyone may submit written comments regarding this negotiated rulemaking. All written comments must be directed to the undersigned and must be delivered on or before August 1, 2024.

DATED this 19th day of June, 2024.

Cody D. Burlile
State Brand Inspector
Idaho State Brand Board – Idaho State Police
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