OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY
ESTABLISHMENT OF FEE REPORT
MANDATED BY 74 O.S. § 3117

MANDATED LANGUAGE

Prior to the establishment or increase of a fee, the agency, constitutionally or statutorily created state board, bureau, commission, office, authority, public trust in which the state is a beneficiary, or interstate commission, except governing boards for entities within The Oklahoma State System of Higher Education for which fees are reported pursuant to Section 3218.2 of Title 70 of the Oklahoma Statutes, shall notify, in writing, the Governor, the Speaker of the House of Representatives, the Government Operations, Agency Oversight and Administrative Rules Committee and the President Pro Tempore of the Senate of the intended action. The notice shall include justification for the fee or fee increase and all supportive documentation.

RULE:

OAC 35:2-3-9
OAC 35:2-3-29

REPORT PREPARED BY AGENCY:

October 31, 2016

AGENCY INTENT/SUMMARY/JUSTIFICATION:

The proposed rule amendments revise fee structures to reflect the increased cost of labor and supplies required to manage the Poultry Health and Animal Disease Traceability programs. The continuing administration of the Poultry Health and Animal Disease Traceability programs by the Department are necessary to secure federal funding for related animal disease programs.

AUTHORITY FOR THE NEW RULES AND FEES:

Okla. Const., Art. 6, § 31; 2 O.S. § 2-4(A)(2) and 2-4(A)(20); 2 O.S. § 6-2; 2 O.S. § 6-91 et seq.; 2 O.S. § 6-121 et seq.; 2 O.S. § 6-131 et seq.; 2 O.S. § 6-141 et seq.; 2 O.S. § 6-150 et seq.; 2 O.S. § 6-400 et seq.; and 2 O.S. § 6-501 et seq.

THE FOLLOWING SUPPORTIVE DOCUMENTATION IS ATTACHED:

- Summary of Significant Changes to the Fee Schedule
- Justification of Fee
- Draft of the Proposed Rule
- Rule Impact Statement

Summary of Significant Changes to the Fee Schedule:

- OAC 35:2-3-9
  - Changes fee to reflect increased cost of managing the Departments' Poultry Health program.
- OAC 35:2-3-29
  - Changes fees to reflect the increased cost of supplies resold to program participants, increased cost of managing the Animal Disease Traceability program, increased cost

of conducting inspections, and increased cost of data entry and document maintenance required by federal authorities.

Justification of Fee

Factors that have contributed to the need for an increase in fees, include, but are not limited to:

1. The existing fees to not accurately reflect actual costs borne by the Department in managing the Poultry Health program.
2. The existing fees do accurately reflect the increased costs of supplies resold to Animal Disease Traceability program participants, increased costs of managing the program, increased costs of conducting inspections, and increased cost of data entry and document maintenance required by federal authorities.