

## RULE IMPACT STATEMENT

### TITLE 35. OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY CHAPTER 3. FINE MATRICES

#### (A) PURPOSE OF THE PROPOSED RULE:

The primary purpose of the proposed rules is to create fine matrices for the Livestock Dealers Act and the Livestock Auction Markets Act to address the imposition of administrative penalties in relation to violations of the Oklahoma Agricultural Code and corresponding rules. The implementation of the fine matrix in the rules will provide guidance to the Department and to the public on potential fines for specific violations. Penalties for referenced violations will be more consistently applied, while still allowing the Department to make determinations on a case-by-case basis.

#### (B) CLASSES OF PERSONS WHO MOST LIKELY WILL BE AFFECTED BY THE PROPOSED RULE AND ANY INFORMATION ON COST IMPACTS RECEIVED BY THE AGENCY FROM ANY PRIVATE OR PUBLIC ENTITIES:

These rules affect persons regulated by the Livestock Dealers Act and the Livestock Auction Markets Act programs. No cost impacts have been received to date.

#### (C) PERSONS WHO WILL BENEFIT FROM THE PROPOSED RULE:

Persons who may be subject to a fine for violations of the Oklahoma Agriculture Code will benefit from the proposed rules.

#### (D) DESCRIPTION OF THE PROBABLE IMPACT OF THE PROPOSED RULE UPON AFFECTED CLASSES OF PERSONS:

All affected persons benefit from the proposed rules because they will have notice of how fines will be calculated for specific violations.

#### (E) PROBABLE COST AND BENEFITS TO AGENCY; SOURCE OF REVENUE FOR IMPLEMENTATION AND ENFORCEMENT OF THE PROPOSED RULE:

No additional cost to the agency is anticipated by the rules.

#### (F) DETERMINATION OF WHETHER IMPLEMENTATION WILL HAVE ANY ECONOMIC IMPACT ON ANY POLITICAL SUBDIVISION OR REQUIRE THEIR COOPERATION IN IMPLEMENTING OR ENFORCING THE PROPOSED RULE:

No effect on any political subdivision is anticipated by the amendments to these rules.

#### (G) DETERMINATION OF WHETHER IMPLEMENTATION OF THE PROPOSED RULE WILL HAVE AN ADVERSE EFFECT ON SMALL BUSINESS AS PROVIDED BY THE OKLAHOMA SMALL BUSINESS REGULATORY FLEXIBILITY ACT:

The proposed rules have no adverse effect on small business. Small business will benefit from the certainty provided by the rules.

**(H) DETERMINATION OF WHETHER THERE ARE LESS COSTLY METHODS OR NON-REGULATORY METHODS FOR ACHIEVING THE PURPOSE OF THE PROPOSED RULES:**

The agency is unaware of any non-regulatory methods to achieve the purpose of these proposed rule changes.

**(I) DETERMINATION OF THE EFFECT OF THE PROPOSED RULE ON THE PUBLIC HEALTH, SAFETY, AND ENVIRONMENT:**

The proposed rules have no effect on the public health, safety, and environment.

**(J) DETERMINATION OF ANY DETRIMENTAL EFFECT ON THE PUBLIC HEALTH, SAFETY, AND ENVIRONMENT:**

The agency is not aware of any detrimental effect the proposed rules will have on public health, safety, and environment.

**(K) DATE RULE IMPACT STATEMENT WAS PREPARED:**

January 29, 2008