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Director

# Legislative Services Office Idaho State Legislature

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## MEMORANDUM

**TO:** Rules Review Subcommittee of the Senate Agricultural Affairs Committee and the House Agricultural Affairs Committee  
**FROM:** Principal Legislative Research Analyst - Katharine Gerrity  
**DATE:** August 07, 2013  
**SUBJECT:** Department of Agriculture

IDAPA 02.06.09 - Rules Governing Invasive Species (Docket No. 02-0609-1301)

IDAPA 02.06.22 - Noxious Weed Rules (Docket No. 02-0622-1301)

IDAPA 02.06.23 - Rules Governing Noxious Weed Free Gravel And Rock Products (New Chapter) (Docket No. 02-0623-1301)

### 1. IDAPA 02.06.09 - Rules Governing Invasive Species

The Idaho State Department of Agriculture submits notice of proposed rule at IDAPA 02.06.09 - Rules Governing Invasive Species. According to the Department, the rule adds definitions, removes a transport permit requirement for bullfrogs, extends transport permit validity to five years, adds a section creating a method of application for energy crop invasive species possession/production permits, adds a section creating a method of application for trap crop invasive species permits, updates various scientific and common names and adds hybrids of certain listed invasive species.

The Department indicates that negotiated rulemaking was conducted. The rule appears to be authorized pursuant to section 22-1907, Idaho Code.

### 2. IDAPA 02.06.22 - Noxious Weed Rules

The Idaho State Department of Agriculture submits notice of proposed rule at IDAPA 02.06.22 - Noxious Weed Rules. According to the Department, the rulemaking removes the statewide monitor list provisions, which applied to water hyacinth and added water hyacinth (scientific name *Eichhornia crassipes*) to the statewide EDRR noxious weed list.

Negotiated rulemaking was conducted. The rulemaking appears to be authorized pursuant to section 22-2403, Idaho Code.

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### **3. IDAPA 02.06.23 - Rules Governing Noxious Weed Free Gravel And Rock Products**

The Idaho State Department of Agriculture submits notice of proposed rule (a new chapter) at IDAPA 02.06.23 - Rules Governing Noxious Weed Free Gravel And Rock Products. According to the Department, the new rule will provide for inspection and certification of gravel as noxious weed free. Section 100.01 provides that the certification program is voluntary. The program will allow for the preparation of a transit certificate for the purpose of interstate transport or shipping of gravel and rock products into and through states which place regulations and restrictions on such products. The program is intended to reduce the exportation, importation, growth and spread of noxious weeds.

Negotiated rulemaking was conducted. The rulemaking appears authorized pursuant to Section 22-2403, Idaho Code.

cc: Department of Agriculture

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