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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 27, 2015

SUBJECT: Idaho State Department of Agriculture

IDAPA 02.04.21 - Rules Governing the Importation of Animals - Proposed Rule (Docket No. 02-0421-1501)

IDAPA 02.04.29 - Rules Governing Trichomoniasis - Proposed Rule (Docket No. 02-0429-1501)

IDAPA 02.06.22 - Noxious Weed Rules - Proposed Rule (Docket No. 02-0622-1501)

IDAPA 02.06.25 - Rules Governing the Planting of Beans, Other than Phaseolus Species, in Idaho - Proposed Rule (Docket No. 02-0625-1501)

1. IDAPA 02.04.21 - Rules Governing the Importation of Animals

The Idaho State Department of Agriculture submits notice of proposed rule at IDAPA 02.04.21 - Rules Governing the Importation of Animals. According to the department, the Western States Livestock Health Association has issued recommendations to harmonize Trichomoniasis import regulations for all western states. The department indicates that the Idaho Trichomoniasis Task Force met in May and approved the recommendation. The department states that as a result, the rule changes allow imported bulls to be considered virgins up to eighteen months of age and Trichomoniasis tests to be valid for sixty days.

The department notes that negotiated rulemaking was conducted in July 2015. The rulemaking appears to be authorized pursuant to Section 25-203, Idaho Code.

2. IDAPA 02.04.29 - Rules Governing Trichomoniasis

The Idaho State Department of Agriculture submits notice of proposed rule at Rules Governing Trichomoniasis. According to the department, the Western States Livestock Health Association has issued recommendations to harmonize Trichomoniasis import regulations for all western states. The department indicates that the Idaho Trichomoniasis Task Force met in May and approved the recommendation. The department states that as a result, the rule changes allow imported bulls to be considered virgins up to eighteen months of age and Trichomoniasis tests to be valid for sixty days. In addition, a definition for Polymerase Chain Reaction (PCR)

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has been added and references to this type of testing added throughout the rule. According to the department, both culture testing and PCR testing are used for testing for Trichomoniasis.

The department notes that negotiated rulemaking was conducted in July 2015. The rulemaking appears to be authorized pursuant to Section 25-203, Idaho Code.

3. 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 purpose of the rulemaking is to add Purple starthistle and Iberian starthistle to the early detection rapid response section of the noxious weed list. The department notes that both of these species have been listed for the past fifteen months as early detection rapid response noxious weeds under the Director's' temporary listing authorized by Section 22-24049(1)(u), Idaho Code.

The department indicates that negotiated rulemaking was conducted in July 2015. The rulemaking appears to be authorized pursuant to Section 22-2403, Idaho Code.

4. IDAPA 02.06.25 - Rules Governing the Planting of Beans, Other than Phaseolus Species, in Idaho

The Idaho State Department of Agriculture submits notice of proposed rule at IDAPA 02.06.25 - Rules Governing the Planting of Beans, Other than Phaseolus Species, in Idaho. According to the department, the rule is being amended to add a small trial ground exemption from disease testing for non-phaseolus beans from seed lots of one pound or less. The department notes that this exemption will allow researchers the ability to grow seed without a loss of seed from destruction during testing.

Negotiated rulemaking was conducted in July 2015. The rulemaking appears to be authorized pursuant to Section 22-2006, Idaho Code.

cc: Department of Agriculture
Brian J. Oakey