

MINUTES
HOUSE AGRICULTURAL AFFAIRS COMMITTEE

DATE: Wednesday, February 04, 2015

TIME: 1:30 P.M.

PLACE: Room EW42

MEMBERS: Chairman Andrus, Vice Chairman Boyle, Representatives McMillan, Batt, Bell, Dayley, Miller, Romrell, VanOrden, Burtenshaw, Kerby, Troy, Pence, Erpelding

**ABSENT/
EXCUSED:** Rep. VanOrden

GUESTS: Jim Jeffress, Sportsman; Sean Ellis, Capitol Press; Stan Boyd, IEBA; John Jameson, IEBA; John Caywood, RWEF; Forrest Goodrum, Ada City F&G League; Burk Mantel, Dr. Karen Brahn Balch, DMV; Dr. Olin Balch, DMV; Bob Reiner, Larry Fry, ISCAC; Mark Bell, ISCAC; David Miller, Idaho Elk Breeders Assoc.; Jim Neently, Idaho Wildlife Federation; Scott Leibsle, Deputy ISDA; Rulon Jones, Laura Johnson, ISDA; Michael Gibson, Idaho Wildlife Federation; Steve Fuchser, ISCAC; Douglas R. Jones, Dr. Zebarth, DVM

Chairman Andrus called the meeting to order at 1:35 p.m.

Laura Johnson, Bureau Chief, ISDA, welcomed and introduced Idaho's international trade partners to present their annual report.

Mr. Fang presented on the China Trade Office. He stated China's GDP growth for 2014 was 7.4%. The United States is China's second largest trade partner and the number one export market for US agricultural products. China is Idaho's third largest export market. The China Trade Office uses WeChat, China's version of social media, to expose their citizens to different Idaho industries and also to help promote tourism in Idaho. He reported there are five full-time members of his staff. In response to committee question, Mr. Fang stated the largest import from Idaho to China is the computer chip which encompasses 50% of exports from the State. Dairy products are the largest agricultural import.

Mr. Orellana, presented on the Mexico Trade Office. He stated the import and export business between Idaho and Mexico has continued to grow. There has been growth in the economy of Mexico at approximately 2%. The trade managers are trying to grow trade in commerce and agriculture between Mexico and Idaho. His office is informing Mexican tourist about what is available in Idaho to help increase tourism to the State. In an effort to increase agricultural trade imports from Idaho to Mexico, there is test planting of Idaho bean seed plots in Central Mexico. There are also Latin American dairy companies that are looking to Idaho for development in dairy industry.

DOCKET NO. 02-0421-1401: **Jim Jeffress**, self, spoke **in opposition** to the rule change. He stated that avoidance is the first line of defense against infecting our elk population. He said the effectiveness of the immunization is still not proven in mature larvae.

John Caywood, RWEF, spoke **in opposition** to the proposed changes to the rule. He stated his recommendation would be to defer the change for another year and brainstorm with a variety of interested parties to give a more broad consensus. When asked by the committee if he could suggest a better alternative to the proposed rule change, he said he feels there are safer ways to accomplish the goals of the elk breeders to improve genetics at a lower risk to Idaho herds.

Forrest Goodrum, Ada City Fish and Game League, spoke **in opposition** to the rule change. He restated the departments position is to preserve, protect and perpetuate the wildlife in the state of Idaho. The Public Trust Doctrine would dictate that the wildlife of Idaho should be protected from things that may be harmful. Their assessment is that changes to this rule would likely introduce either CWD or meningeal worm. He encouraged a wider spectrum of interests involved in the rule making process.

Burk Mantell, self, spoke **in opposition** to the rule change. He stated it is in the Idaho constitution that the legislature will pass all necessary laws to stop the spread of infectious or contagious disease in protecting our livestock. He said he felt the ruling would profit only a small interest group. In response to committee questioning about why the same rules do not apply to cattle and sheep he said that from what he had read cattle are not effected in the same way and although sheep are more susceptible, it would be a rare occurrence for them to be imported from across the 100th meridian.

Dr. Karen Bruhn Balch, DVM, spoke **in opposition** to the proposed rule changes. She stated there is evidence that both moose and elk have been known to pass on P. Tenuis, unlike the white tail deer which is considered a dead end host. She stated that deworming thirty days prior to importation is not an effective treatment. It is only effective on first stage larvae and does not kill mature meningeal worms. Larvae shedding still occurs after treatment. She stated this is a very difficult disease to detect in it's early stages.

Dr. Olin Balch, DVM, spoke **in opposition** to the rule change. He stated if the meningeal worm were to be introduced into Idaho herds, it is almost impossible to eradicate. He explained that cattle are not shedders and therefore not restricted. When asked by the committee to explain why he thought the meningeal worm had not migrated across the 100th meridian over time, he made a comparison to heart worm that had spread after hurricane Katrina when dogs were imported through out the country from the area where it was once confined.

Bob Reiner, self, spoke **in opposition** to the proposed rule change. He wished to clarify testimony that Wyoming had no ban on the importation of cervidae. He stated that because Wyoming does not have high fence elk herds, there is no reason why anyone would import into that state. When asked by the committee how he knew that infected elk would be imported into the state, he said it is likely because there is not good testing to show elk do not have meningeal worm at this time.

Larry Fry, ISCAC, spoke **in opposition** to the rule change. He said he feels the change in ruling would relax standards and could possibly spread beyond the elk herds.

Mark Bell, ISCAC, spoke **in opposition** to the rule change. He stated he would like to see more sportsmen involved in rule making and asked the rule be sent back for revision.

David Miller, Idaho Elk Breeders Association, spoke **in support** of the rule change. He stated the association has the best interest of the breeders in mind. The cervidae would only be imported from states where the meningeal worm is not present. It would not be in their interest to risk the health of the elk in their herds. In response to committee questions he stated that although the meningeal worm is a fatal condition and elk who have ingested the meningeal worm larvae will expire within two weeks of ingestion, elk are like other forms of livestock that are considered dead end hosts in that they can contract and succumb to the disease without passing it.

Dr. Glen Zebarth, DVM, spoke **in support** of the change in rules. He participated in a study of 12 isolated elk. Ten of the 12 were infected with 3rd stage larvae through ingestion. They were followed for 34 weeks of sampling. At the end of the 34 weeks all 10 of the animals that ingested the larvae were infested but the two that were not given the larvae were free of the worm. Those infected did not shed the larvae. He stated he is not personally aware of any study that showed infested elk pass the larvae. He stated there is a blood test that is able to detect early stage meningeal worm but it is not commercially available at this time. Dr. Zebarth said Colorado has imported literally thousands of elk using the deworming process described in this rule, and they have no reports of meningeal worm in the state that he is aware of. He stated our interest is to protect the herds here in Idaho. In response to committee questioning, he stated the difference between elk and white tail deer is the elk do not shed the worm eggs.

Jim Nunley, Idaho Wildlife Federation, spoke **in opposition**. He stated he was concerned for the hunters of Idaho in not knowing if their wild game was infected. He asked the committee to carefully consider the consequences of passing the rule.

Michael Gibson, Idaho Wildlife Federation, spoke **in opposition**. He stated the Idaho Wildlife Federation is dedicated to preserving wildlife for future generations. He asked the committee to not pass this rule that could put Idaho's wildlife at risk.

Steve Fuchser, ISCAC, spoke **in opposition** of the proposed rule. He stated he is aware of hunters from out of state that hunt here because of the restrictions on wildlife that keep herds pure and healthy. He said there would be a lot of money lost to the state if our herds were infected.

Rulon Jones, Elk Breeder, spoke **in support** of the rule change. In response to the committee question of if he had elk that had escaped his fences, he said he has had elk escape but he did get all the animals back and there was not an outbreak in his herd. He stated he would not risk his business by bringing in diseased animals.

Scott Leibsle, ISDA Deputy, was asked by the committee if the usual protocol for scheduling the rulemaking negotiations was followed. He said that procedure was followed and two different meeting were held as a result of the negotiated changes to this rule. He states that the Department has no position in the rule.

Rep. Burtenshaw invoked rule 38 stating a possible conflict of interest.

MOTION: **Rep. Pense** made a motion to **reject Docket No. 02-0421-1401. Motion carried by voice vote.**

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 3:47 p.m.

Representative Andrus
Chair

Joan Majors
Secretary