

MINUTES
SENATE AGRICULTURAL AFFAIRS COMMITTEE

DATE: Thursday, February 12, 2015

TIME: 8:00 A.M.

PLACE: Room WW53

MEMBERS PRESENT: Chairman Rice, Vice Chairman Bayer, Senators Brackett, Patrick, Souza, Lee, Den Hartog and Ward-Engelking

ABSENT/ EXCUSED: Senator Burgoyne

NOTE: The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: **Chairman Rice** called the meeting to order at 8:02 a.m.

MINUTE APPROVAL: **Senator Patrick** moved to approve the Minutes of January 29, 2015. **Senator Brackett** seconded the motion. The motion carried by **voice vote**.

RS 23484 **Relating to Noxious Weeds:** **Senator Keough** said Idaho Code and the Idaho State Department of Agriculture allow research and call for an integrated weed management strategy on terrestrial weed species. This provides opportunities for biological control, but the law and rules are silent or prohibitive in terms of developing similar tools for aquatic weed species. This bill will allow for the collection, removal and movement of noxious weeds from infested areas to in-state facilities for the purpose of biological control research under a set of controlled provisions.

MOTION: **Senator Patrick** moved to print **RS 23484**. **Senator Brackett** seconded the motion. The motion carried by **voice vote**.

RS 23583 **Relating to Idaho Honey Advertising Commission:** **Senator Lee** deferred the presentation to Jim Lowe, representing the Idaho Honey Industry Association. **Mr. Lowe** said this proposed legislation addresses a number of items including:

1. Changing the name from the Idaho Honey Advertising Commission (Commission) to the Idaho Honey Commission.
2. Revising the section governing the members of the Commission.
3. Clarifying a referendum to change per hive assessment levy by the Commission may only be voted on by those beekeepers subject to the assessment.

MOTION: **Senator Souza** moved to print **RS 23583**. **Vice Chairman Bayer** seconded the motion. The motion carried by **voice vote**.

PASSED THE GAVEL: Chairman Rice passed the gavel to Vice Chairman Bayer.

**DOCKET NO:
02-0421-1401**

Importation of Animals - Meningeal Worm Parasite: Dr. Leibsle, Deputy Administrator, stated this proposed rule is a petition from the Idaho Elk Breeders Association. Negotiated rulemaking was conducted, multiple individuals were present, and comments were received to the rulemaking record. In the current rule there is an import restriction on all domestic cervidae being imported from areas that are endemic for the meningeal worm or *P. tenuis*. The proposed rule change would lift the import restriction and allow imports on the condition that the cervidae are dewormed with a proper deworming product prior to import. It also requires elk be accompanied by a health certificate issued by a veterinarian that attests that no animals on the premises have been affected or exposed to animal in the shipment. The veterinarian must verify with a specific statement on the health certificate that no animals in the shipment have symptoms of *P. tenuis* or have been exposed to any other animals from a premises that has *P. tenuis*.

TESTIMONY:

The following spoke in support of the rule change: Dr. Zebarth, Mark Bair, Kim Kafka, Becky Mesaros, Rulin Jones, Roy Klingler, Shawn Schafer, Roy Klingler, Shawn Schafer

Dr. Zebarth, cervid veterinary practice, representing North American Deer Farmers and Elk Producers in Idaho, explained there were five factors for importing elk into Idaho:

1. Veterinary health certificate. It is imperative that the veterinarian knows the herd conditions of the elk farm in order to write health certificates. As part of the health certificate paperwork they will check maintenance of fencing, separation from free ranging stock and the elk that are on the farm, what diseases have occurred on the farm, whole herd testing for regulatory diseases of brucellosis, TB, and chronic wasting disease, pursuing causes of death unknown cause and an examination of the brain. They will also confirm that there are no symptoms consistent with *P. tenuis*, exposure or history.
 2. Any reports of shedding and experimental trials on elk.
 3. A lack of an intermediate host in arid western climates
 4. The treatment of the elk with Ivermectin wormer.
 5. Experiences of the State of Colorado. Thousands of elk have been imported into Colorado, and they have not found any cases of meningeal worm. Primarily because the slugs and snails that carry the worms do not maintain a viable population in the western arid climate.
- The economic benefits from elk ranching.
 - Elk Associations and producer industry has not heard of meningeal worm, and it is not an issue in their industry.
 - This rule will bring business to the State.
 - Elk producer, Firth, Idaho, believes the meningeal worm is not an issue and people do not like their industry.
 - Elk breeder and producer, this is about industry rights and the restrictive regulations that have been placed upon that industry.
 - The elk producers are interested in their herd health along with the health of the elk herds on public land.

- Requested fairness of regulations for the elk producer industry. The industry of cattle ranching is worried about genetics and having a nice bull; the elk industry is interested in those same factors. The industry continues to have more regulations placed upon the elk farms and it is running more out of business. In the past there were 100 producers in Idaho now 20; due to the regulations. The producer's herd numbers have decreased drastically; if they don't have the option to go across the 100th meridian to import more elk onto their farms they might be run out of business.
- Executive Director of North American Deer Farmer Association said that in his travels across the country none of the producers have had a case of meningeal worm it is not present in the industry.

The following spoke in opposition to the rule change: Jim Jeffers, John Caywood, and Dr. Karen Bruhn-Balch,

Most of the states surrounding Idaho do not allow elk farming, carcass importation, or importation of any cervid or animals that can carry and cycle meningeal worm.

The proposed rule's "test and treat" requirement is nonsensical as the scientific literature indicates; meningeal parasites can neither be detected in live cervids nor effectively treated.

This rule change benefits elk farmers but risks Idaho's multi-million dollar big game tourism, family hunting traditions and the wild deer, elk and moose that belong to 1.4 million Idahoans.

Infected elk will be incubating meningeal worm disease well before any clinical signs are apparent up to four months. There could be no sign of the meningeal worm disease in an animal that was inspected for importation.

As a licensed veterinarian, the relaxation of the rules about importation of domestic cervids from meningeal worm endemic regions profoundly threatens Idaho cervid wildlife. Relaxation of the rules only benefits a small number of individuals who conduct bull elk shooter operations who want to import trophy-sized elk for wealthy sportsman to shoot in essentially a large camouflaged pen.

DISCUSSION:

Chairman Rice asked Mr. Jeffers if he knew of specific outbreaks of meningeal worm in domesticated elk populations either east or west of the 100th meridian. **Mr. Jeffers** answered that he could not site studies, but it has been his understanding that there have been no outbreaks. **Senator Souza** asked for clarification on the reasons the surrounding states don't allow domestic elk farming with this meningeal worm issue. Is there a higher risk in farming elk for the disease? **Mr. Jeffers** replied the other states are concerned about chronic wasting disease (CWD) and meningeal worm, hence their restrictions on import, especially east of the 100th meridian. From a biological aspect the more you confine animals, along with the density relationship, the more opportunity there is to spread pathogens.

Senator Lee questioned if there are other animals that are imported from the same area that potentially could have the meningeal worm. **Karen Bruhn-Balch, DVM**, stated Idaho does not have meningeal worm and would be risking the wild elk herds.

Senator Den Hartog questioned what is the primary driving factor in the proposed rule change. **Mr. Jones** answered that years ago when he got into the elk industry it was thriving. He believes because of state regulations the domestic elk farms have really reduced in numbers. Idaho elk producers probably have the worst genetics of any state for quality of animals. The industry has just not been good at producing quality breeding stock because of the state restrictions. The other issue the industry is facing is the farms will be out of business if they cannot buy elk from east of the 100th Meridian. He can confidently say that Idaho's stock just is not the animal of those breeder's stock and the breeders in the State have gone out of business. The farm has been able to stay in business by buying stock from farms that have gone out of business. The domestic elk population has dramatically dropped in the State, there are not enough animals available to sustain the industry.

Senator Den Hartog asked as the industry has recognized that there are animals east of the 100th meridian that are valuable and would like to see breed into Idaho stock, are there any other restrictions that prevent the industry from importation other than the possible transfer of menigeal worm into the State. **Mr. Jones** replied he could only speculate on the answer to Senator Den Hartog's question. He believed the industry in the west was so substantial that there was a sufficient amount of animals and breeders. Due to the high regulations that have been placed on the farms, people have given up and have left the industry because it was not worth all the contention and fighting. The industry has had to look at other things. Montana, New Mexico and Colorado have been importing elk and have had no issues bringing the animals from the area east of the 100th Meridian.

Senator Lee asked if the artificial insemination (AI) process could be used for improving genetics in the herd. **Mr. Jones** said if you have captive animals, genetics is an option. For the industry it is difficult to handle a cow, there is not a high rate of success in elk, and it is cost prohibitive.

Senator Souza said Montana allows the importation of elk from east of the 100th Meridian. What are the restrictions for importation of elk from Montana into Idaho? **Mr. Schafer** replied the elk that originated from east of the 100th Meridian are not allowed to be shipped into Idaho. If he ships an elk from Minnesota into his herd in Montana that elk is not allowed to be imported into Idaho, but the other elk that surround the Minnesota elk that is in the exact same pen are allowed to be shipped into Idaho.

PRESENTATION USDA Farm Service Agency: Due to a lack of time this presentation was scheduled for another day.

ADJOURNED: There being no further business, **Chairman Rice** adjourned the meeting at 10:29 a.m.

Senator Rice
Chair

Carol Deis
Secretary