

AGENDA  
**HOUSE AGRICULTURAL AFFAIRS COMMITTEE**  
**1:30 P.M.**  
**Room EW42**  
**Wednesday, January 10, 2018**

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
	Organizational Meeting	

COMMITTEE MEMBERS

Chairman Boyle	Rep Burtenshaw
Vice Chairman Dayley	Rep Kerby
Rep Bell	Rep Troy
Rep Miller	Rep Stevenson
Rep VanOrden	Rep Amador

Rep Armstrong
Rep Hanks
Rep Zito
Rep Erpelding
Rep Toone

COMMITTEE SECRETARY

Joan Majors  
Room: EW11  
Phone: 332-1137  
email: [hagri@house.idaho.gov](mailto:hagri@house.idaho.gov)

MINUTES  
**HOUSE AGRICULTURAL AFFAIRS COMMITTEE**

**DATE:** Wednesday, January 10, 2018  
**TIME:** 1:30 P.M.  
**PLACE:** Room EW42  
**MEMBERS:** Chairman Boyle, Vice Chairman Dayley, Representatives Bell, Miller, VanOrden, Burtenshaw, Kerby, Troy, Stevenson, Amador, Armstrong, Hanks, Zito, Erpelding, Toone  
**ABSENT/  
EXCUSED:** None  
**GUESTS:** None

**Chairman Boyle** called the meeting to order at 1:32 p.m.

**Chairman Boyle** welcomed the committee members of the 2018 Legislative Session. Chairman Boyle introduced the Committee Page, **Alex Fesperman** from Mountain Home, Idaho.

**Chairman Boyle** introduced **Evan Frasure**, who recently was appointed by the Trump Administration as the new state Executive Director for the USDA Idaho Farm Service Agency.

**Director Fraser** explained he had most recently served as a county commissioner for Bannock County, Idaho. He said he also had served in both the Idaho House and Senate previous to this appointment. He indicated he would draw upon his extensive experience in business, marketing and education while serving as executive director.

**Chairman Boyle** assigned **Rep. Kerby** from the majority and **Rep. Toone** from the minority, as proofreaders to review the committee minutes during this session.

**Chairman Boyle** turned the gavel over to **Vice Chairman Dayley**.

**Vice Chairman Dayley** explained the process of Rules Review. He explained the majority of rules would be divided between two subcommittees with the remaining rules being considered by the committee as a whole. The Subcommittees are: Administrative/Inspection Rules: **Rep. Amador, Chairman, Rep. Miller, Rep. Bell, Rep. Burtenshaw, Rep. Hanks, and Rep. Erpelding**; Lab/ Plant Industries: **Rep. Stevenson, Chairman, Rep. VanOrden, Rep. Kerby, Rep. Troy, Rep. Armstrong, Rep. Zito, and Rep, Toone**. Subcommittees will begin rules review on Tuesday, January 16, 2018.

**ADJOURN:** There being no further business to come before the committee, the meeting was adjourned at 1:45 p.m.

---

Representative Boyle  
Chair

---

Joan Majors  
Secretary

**AMENDED AGENDA #1**  
**HOUSE AGRICULTURAL AFFAIRS COMMITTEE**  
**1:30 P.M.**  
**Room EW42**  
**Tuesday, January 16, 2018**

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
	Rules Review	Dennis Stevenson, State Administrative Rules Coordinator

***If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Boyle	Rep Burtenshaw	Rep Armstrong
Vice Chairman Dayley	Rep Kerby	Rep Hanks
Rep Bell	Rep Troy	Rep Zito
Rep Miller	Rep Stevenson	Rep Erpelding
Rep VanOrden	Rep Amador	Rep Toone

COMMITTEE SECRETARY

Joan Majors  
Room: EW11  
Phone: 332-1137  
email: [hagri@house.idaho.gov](mailto:hagri@house.idaho.gov)

MINUTES  
**HOUSE AGRICULTURAL AFFAIRS COMMITTEE**

**DATE:** Tuesday, January 16, 2018  
**TIME:** 1:30 P.M.  
**PLACE:** Room EW42  
**MEMBERS:** Chairman Boyle, Vice Chairman Dayley, Representatives Bell, Miller, VanOrden, Burtenshaw, Kerby, Troy, Stevenson, Amador, Armstrong, Hanks, Zito, Erpelding, Toone  
**ABSENT/  
EXCUSED:** None  
**GUESTS:** Brent Olmstead, CALS; Doug Boze, Idaho Crop Improvement Association; Jared Stuart, ISDA; Dan Salmi, ISDA; Brandy Kay, Sheep Goat Health Board; Dennis Stevenson, Rules Coordinator; Jay Shaw, Administrative Rules Office; Dennis Tanikuni, Idaho Farm Bureau; Douglas R. Jones  
**Chairmen Boyle** called the meeting to order at 1:32 p.m.  
**MOTION:** **Rep. Kerby** made a motion to approve the minutes of Wednesday, January 10, 2018. **Motion carried by voice vote.**  
**Dennis Stevenson**, State Administrative Rules Coordinator, gave a brief overview of the Rules Procedure to the committee members. He explained the three types of Rules; Pending, Fee and Temporary. Mr. Stevenson explained the result of the action taken by the committee to the various rules before them.  
**Chairman Boyle** turned the gavel over to **Vice Chairman Dayley.**  
**Vice Chairman Dayley** reminded the committee they will be hearing the remaining Rules as a whole committee.  
**Vice Chairman Dayley** turned the gavel over to **Chairman Boyle.**  
**ADJOURN:** There being no further business to come before the committee, the meeting was adjourned at 1:47 p.m.

---

Representative Boyle  
Chair

---

Joan Majors  
Secretary

AGENDA  
**HOUSE AGRICULTURAL AFFAIRS COMMITTEE**  
**AMADOR SUBCOMMITTEE**  
Admin and Inspections  
Upon Adjournment of the Full Committee  
Room EW20  
Tuesday, January 16, 2018

<b>DOCKET NO.</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#"><u>02-0101-1701</u></a>	Idaho Rules of Practice and Procedure	Brian Oakey, Deputy Director
<a href="#"><u>02-0101-1702</u></a>	Rules of Procedure	Brian Oakey
<a href="#"><u>02-0214-1703</u></a>	Rules for Weights and Measures	Kevin Merritt, Program Manager
<a href="#"><u>02-0214-1702</u></a>	Rules for Weights and Measures	Kevin Merritt
<a href="#"><u>02-0214-1701</u></a>	Rules for Weights and Measures	Kevin Merritt

***If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Amador  
Rep.Miller  
Rep.Bell  
Rep.Burtenshaw  
Rep.Hanks  
Rep.Erpelding

COMMITTEE SECRETARY

Shellie Coates  
Room: EW11  
Phone: 332-1137  
email: [hagri@house.idaho.gov](mailto:hagri@house.idaho.gov)

MINUTES  
**HOUSE AGRICULTURAL AFFAIRS COMMITTEE**  
**AMADOR SUBCOMMITTEE**  
Admin and Inspections

**DATE:** Tuesday, January 16, 2018  
**TIME:** Upon Adjournment of the Full Committee  
**PLACE:** Room EW20  
**MEMBERS:** Chairman Amador, Representatives Miller, Bell, Burtenshaw, Hanks, Erpelding  
**ABSENT/  
EXCUSED:** None  
**GUESTS:** Kevin Merritt, ISDA; Jay Shaw, Administrative Rules

**Chairman Amador** called the meeting to order at 1:52 p.m.

**DOCKET NO. 02-0101-1701:** **Brian Oakey**, Deputy Director of the Idaho State Department of Agriculture (ISDA), presented **Docket No. 02-0101-1701**. This docket repeals the existing Rules of Practice and Procedure. He explained that ISDA's existing Rules of Practice and Procedure had not been updated since becoming final rules in 1994. These rules did not accept the Attorney General's Rules of Procedure, or contain a finding that stated the reasons why the Attorney General's rule were inapplicable to ISDA as required by Idaho Code Section 67-5206(5)(b).

**MOTION:** **Rep. Erpelding** made a motion to recommend the full committee approve **Docket No. 02-0101-1701. Motion carried by voice vote.**

**DOCKET NO. 02-0101-1702:** **Brian Oakey**, Deputy Director of the Idaho State Department of Agriculture (ISDA), presented **Docket No. 02-0101-1702**. This docket adopts a new Rules of Procedure chapter. He explained that in order to comply with Idaho Code Section 67-5206(5), ISDA has repealed its existing Rules of Practice and Procedure and promulgated a new chapter of Rules and Procedures. The new Rules of Procedure accept in whole the "Idaho Rules of Administrative Procedure of the Attorney General" (IDAPA 04.11.01) governing rulemaking and contested cases.

**MOTION:** **Rep. Burtenshaw** made a motion to recommend the full committee approve **Docket No. 02-0101-1702. Motion carried by voice vote.**

**DOCKET NO. 02-0214-1703:** **Kevin Merritt**, Section Manager for the Idaho State Department of Agriculture's Weights and Measures Program, presented **Docket No. 02-0214-1703** "Rules for Weights and Measures". He advised this is an annual housekeeping item to incorporate by reference the most current date specific edition of the Handbook 44.

He explained that negotiated rulemaking was not conducted due to this rule change being an annual housekeeping update. ISDA conducted outreach to stakeholders where they requested input on this rule change. No comments were received.

Maintaining a current handbook is important to weights and measure officials and the service industry that installs and repair commercial weighing or measuring devices. It also promotes uniformity by keeping the codes current with new technology and uniform with surrounding states who also adopt this reference handbook.

**MOTION:** **Rep. Erpelding** made a motion to recommend the full committee approve **Docket No. 02-0214-1703. Motion carried by voice vote.**

**DOCKET NO.  
02-0214-1702:**

**Kevin Merritt**, Section Manager for the Idaho State Department of Agriculture's Weights and Measures Program, presented **Docket No. 02-0214-1702** "Rules for Weights and Measures". He explained this is a Pending Rule that will add definitions for Liquefied and Compressed Natural Gas, Diesel Gallon Equivalent (DGE), Gasoline Gallon Equivalent (GGE), and their metric equivalents. It also adds a provision allowing the GGE and DGE units of measurement as an acceptable method of sale for compressed and liquefied natural gas motor fuel. Idaho's current rule does not recognize these units of measurement, or allow petroleum products to be sold in units other than volume or weight.

ISDA conducted negotiated rulemaking where positive feedback was received by stakeholders. ISDA also conducted outreach to stakeholders requesting their input to this rule. ISDA received one letter of support from the Natural Gas Vehicles for America, no other comments were received.

Adoption of these units of measurement will facilitate the use of uniform standards across the country and provide value comparisons for consumers to determine the price of natural gas purchased for transportation purposes. The DGE is supported by retailers and commercial users of liquefied natural gas for trucks that historically have used diesel fuel. Adoption of this rule will align Idaho with surrounding states that recognize and allow these units of measurement in the retail sale of natural gas used for motor fuel.

In response to committee questions, **Kevin Merritt** clarified that these units of sales allows comparison of prices based on energy content. He advised that other fuel options potentially could use these weights and measurements, as well.

**MOTION:**

**Rep. Miller** made a motion to recommend the full committee approve **Docket No. 02-0214-1702. Motion carried by voice vote.**

**DOCKET NO.  
02-0214-1701:**

**Kevin Merritt**, Section Manager for the Idaho State Department of Agriculture's Weights and Measures Program, presented **Docket No. 02-0214-1701** "ASTM Incorporation by Reference. He explained that he was referencing more current versions of the American Society of Testing Materials (ASTM) specification for fuel and requested to update these specifications to more current versions of the ASTM specifications.

ISDA conducted negotiated rulemaking and outreach was also conducted to stakeholders within the petroleum industry requesting their input to this rule change. No negative feedback was received; support from the Tesoro Corporation was received that included a request to add language in the future that would establish minimum octane specifications for gasoline sold in Idaho.

All fuel entering Idaho originated from out of state refineries. In most situations their fuel already meets the most current ASTM specifications. The proposed rule change will have little effect on Idaho's petroleum industry that receives fuel directly from refineries. Updating our fuel specifications to a more current ASTM quality standards. The rule change also provides improved testing resources for the newer fuels coming into the market.

In response to committee questions, **Kevin Merritt** stated automobile manufacturers recommend no less than 87 octane used nationwide.

**MOTION:**

**Rep. Burtenshaw** made a motion to recommend the full committee approve **Docket No. 02-0214-1701. Motion carried by voice vote.**

**ADJOURN:** There being no further business to come before the subcommittee, the meeting was adjourned at 2:28 p.m.

---

Representative Amador  
Chair

---

Shellie Coates  
Secretary

AGENDA  
**HOUSE AGRICULTURAL AFFAIRS COMMITTEE**  
**STEVENSON SUBCOMMITTEE**  
Upon Adjournment of the Full Committee  
Room EW42  
Tuesday, January 16, 2018

<b>DOCKET NO.</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#"><u>02-0602-1701</u></a>	Rules Pertaining to the Idaho Commercial Feed Law	Jared Stuart, ISDA Section Manager
<a href="#"><u>02-0612-1701</u></a>	Rules Pertaining to the Idaho Fertilizer Law	Jared Stuart, ISDA Section Manager
<a href="#"><u>02-0621-1701</u></a>	Rules for Voluntary Public Services of the Idaho Department of Agriculture Laboratories	Dan Salmi, ISDA Bureau Chief
<a href="#"><u>02-0641-1701</u></a>	Rules Pertaining to the Idaho Soil and Plant Amendment Act of 2001	Jared Stuart, ISDA Section Manager
<a href="#"><u>02-0801-1701</u></a>	Sheep and Goat Rules of the Idaho Sheep and Goat Health Board	Brandy Kay, Wool Growers
<a href="#"><u>08-0501-1701</u></a>	Rules Governing Seed and Plant Certification	Brent Olmstead, College of Agriculture and life Sciences

***If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Stevenson  
Rep.VanOrden  
Rep.Kerby  
Rep.Troy  
Rep.Zito  
Rep.Armstrong  
Rep.Toone

COMMITTEE SECRETARY

Joan Majors  
Room: EW11  
Phone: 332-1137  
email: [hagri@house.idaho.gov](mailto:hagri@house.idaho.gov)

MINUTES  
**HOUSE AGRICULTURAL AFFAIRS COMMITTEE  
STEVENS ON SUBCOMMITTEE**

**DATE:** Tuesday, January 16, 2018  
**TIME:** Upon Adjournment of the Full Committee  
**PLACE:** Room EW42  
**MEMBERS:** Chairman Stevenson, Representatives VanOrden, Kerby, Troy, Zito, Armstrong, Toone  
**ABSENT/  
EXCUSED:** None  
**GUESTS:** None

**Chairman Stevenson** called the meeting to order at 1:55 p.m.

**DOCKET NO. 02-0602-1701:** **Jared Stuart**, ISDA Section Manager, presented **Docket No. 02-0602-1701**. He explained Idaho incorporates by reference standards manuals used nationally by industry and regulatory officials providing producers with clear and defined guidelines and terms as well as acceptable standard practices and policies. This change to the rule updates the reference to the most recently available copy of the manual so terms, definitions and standards are up to date for producers and regulators. He stated this will also ensure producers and distributors do not encounter changing standards from state to state while producing and distributing products in Idaho and nationwide.

**MOTION:** **Rep. Kerby** made a motion to recommend the full committee approve **Docket No. 02-0602-1701. Motion carried by voice vote.**

**DOCKET NO. 02-0612-1701:** **Jared Stuart**, ISDA Section Manager, presented **Docket No. 02-0612-1701**. He explained Idaho incorporates by reference standards manuals used nationally by industry and regulatory officials providing producers with clear and defined guidelines and terms as well as acceptable standard practices and policies. This change to the rule updates the reference to the most recently available copy of the manual so terms, definitions and standards are up to date for producers and regulators. He stated this will also ensure producers and distributors do not encounter changing standards from state to state while producing and distributing products in Idaho and nationwide.

**MOTION:** **Rep. VanOrden** made a motion to recommend the full committee approve **Docket No. 02-0612-1701. Motion carried by voice vote.**

**DOCKET NO. 02-0621-1701:** **Dan Salmi**, ISDA Bureau Chief, presented **Docket No. 02-0621-1701**. He explained the primary function of the Feed and Fertilizer Laboratory has been regulatory/enforcement testing to ensure products are formulated as described on the product label. He said in the past the lab occasionally accepted public service samples on a fee basis. Performing a complex series of testing on a single sample is simply not cost effective. He stated the ISDA has halted voluntary service sample testing as of January 1, 2017, and is requesting the elimination of this rule.

**MOTION:** **Rep. Troy** made a motion to recommend the full committee approve **Docket No. 02-0621-1701. Motion carried by voice vote.**

**DOCKET NO. 02-0641-1701:** **Jared Stuart**, ISDA Section Manager, presented **Docket No. 02-0641-1701**. He explained Idaho incorporates by reference standards manuals used nationally by industry and regulatory officials providing producers with clear and defined guidelines and terms as well as acceptable standard practices and policies. This change to the rule updates the reference to the most recently available copy of the manual so terms, definitions and standards are up to date for producers and regulators. He stated this will also ensure producers and distributors do not encounter changing standards from state to state while producing and distributing products in Idaho and nationwide.

**MOTION:** **Rep. Toone** made a motion to recommend the full committee approve **Docket No. 02-0641-1701**. **Motion carried by voice vote.**

**DOCKET NO. 02-0801-1701:** **Brandy Kay**, Idaho Sheep and Goat Health Board, presented **Docket No. 02-0801-1701**. Ms. Kay reported Idaho was the only surrounding state that does not require a Brucella ovis test for rams, male sheep, entering the state. Because the Brucella ovis could affect the lamb crop causing more abortions and stillborns, it was decided through the negotiated rule process to require the Brucella ovis test for rams 6 months of age or older.

**MOTION:** **Rep. Kerby** made a motion to recommend the full committee approve **Docket No. 02-0801-1701**. **Motion carried by voice vote.**

**DOCKET NO. 08-0501-1701:** **Brent Olmstead**, College of Agriculture and Life Science, presented **Docket No. 08-0501-1701**. He stated the proposed rule would amend the Idaho Grain Certification Standards to allow irrigated fields producing certified class seed to be used if they have not produced small grain for the previous crop year unless the small grain was of an equal or higher class of the same variety being planted. The current standard restricts the land use to fields that have not produced visually indistinguishable grain for the two prior years unless the grain is of an equal or higher class of the same variety or unless a seedling inspection is conducted. Additional changes would amend the Potato Certification Standards, removing "corky ring spot" from the Seed Lot Disqualifying Conditions and specifying seed lots with a greater than 1.0% of "Well Defined Mosaic" are not eligible for re-certification.

**MOTION:** **Rep. VanOrden** made a motion to recommend the full committee approve **Docket No. 08-0501-1701**. **Motion carried by voice vote.**

**ADJOURN:** There being no further business to come before the subcommittee, the meeting was adjourned at 2:17 p.m.

---

Representative Stevenson  
Chair

---

Joan Majors  
Secretary

**AMENDED AGENDA #1**  
**HOUSE AGRICULTURAL AFFAIRS COMMITTEE**  
**1:30 P.M.**  
**Room EW42**  
**Thursday, January 18, 2018**

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
	Report of the Stevenson Subcommittee	Rep. Stevenson
	Report of the Amador Subcommittee	Rep. Amador
<a href="#"><u>DOCKET NO.</u></a> <a href="#"><u>42-0101-1701</u></a>	Idaho Wheat Commission	Clark Hamilton, Idaho Wheat Commission

***If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Boyle	Rep Burtenshaw	Rep Armstrong
Vice Chairman Dayley	Rep Kerby	Rep Hanks
Rep Bell	Rep Troy	Rep Zito
Rep Miller	Rep Stevenson	Rep Erpelding
Rep VanOrden	Rep Amador	Rep Toone

COMMITTEE SECRETARY

Joan Majors  
Room: EW11  
Phone: 332-1137  
email: [hagri@house.idaho.gov](mailto:hagri@house.idaho.gov)

MINUTES  
**HOUSE AGRICULTURAL AFFAIRS COMMITTEE**

**DATE:** Thursday, January 18, 2018

**TIME:** 1:30 P.M.

**PLACE:** Room EW42

**MEMBERS:** Chairman Boyle, Vice Chairman Dayley, Representatives Bell, Miller, VanOrden, Burtenshaw, Kerby, Troy, Stevenson, Amador, Armstrong, Hanks, Zito, Erpelding, Toone

**ABSENT/  
EXCUSED:** None

**GUESTS:** Rich Garber, IGPA; Giuliana Torlai, IGPA; Stacey Satterlee, Idaho Grain Producers; Christie Prescott, Idaho Grain; Clark Hamilton, Idaho Wheat Commission; Brent Olmstead, CALS; Dennis Tanikuni, Idaho Farm Bureau; Sean Ellis; Jay Shaw, Admin Rules; Marv Patten, MPI

**MOTION:** **Chairman Boyle** called the meeting to order at 1:31 p.m.

**MOTION:** **Rep. Toone** made a motion to approve the minutes of the January 16, 2018. **Motion carried by voice vote.**

**MOTION:** **Chairman Boyle** turned the gavel over to **Vice Chairman Dayley**.

**MOTION:** **Rep. Kerby** made a motion to approve the minutes of the **Stevenson Subcommittee** meeting of January 16, 2018. **Motion carried by voice vote.**

**Vice Chairman Dayley** asked **Rep. Stevenson** to report the subcommittee recommendations to the full committee.

**Rep. Stevenson** gave a brief explanation of **Docket No. 02-0602-1701** to the full committee.

**MOTION:** **Rep. Kerby** made a motion to approve **Docket No. 02-0602-1701**. **Motion carried by voice vote.**

**Rep. Stevenson** gave a brief explanation of **Docket No. 02-0612-1701** to the full committee.

**MOTION:** **Rep. VanOrden** made a motion to approve **Docket No. 02-0612-1701**. **Motion carried by voice vote.**

**Rep. Stevenson** gave a brief explanation of **Docket No. 02-0621-1701** to the full committee.

**MOTION:** **Rep. Kerby** made a motion to approve **Docket No. 02-0621-1701**. **Motion carried by voice vote.**

**Rep. Stevenson** gave a brief explanation of **Docket No. 02-0641-1701** to the full committee.

**MOTION:** **Rep. Toone** made a motion to approve **Docket No. 02-0641-1701**. **Motion carried by voice vote.**

**Rep. Stevenson** gave a brief explanation of **Docket No. 02-0801-1701** to the full committee.

**MOTION:** **Rep. VanOrden** made a motion to approve **Docket No. 02-0801-1701**. **Motion carried by voice vote.**

**Rep. Stevenson** gave a brief explanation of **Docket No. 08-0501-1701** to the full committee.

**MOTION:** **Rep. VanOrden** made a motion to approve **Docket No. 08-0501-1701** . **Motion carried by voice vote.**

**Vice Chairman Dayley** asked **Rep. Amador** to report the subcommittee recommendations to the full committee.

**Rep. Amador** gave a brief explanation of **Docket No. 02-0101-1701** to the full committee.

**MOTION:** **Rep. Burtenshaw** made a motion to approve **Docket No. 02-0101-1701**. **Motion carried by voice vote.**

**Rep. Amador** gave a brief explanation of **Docket No. 02-0101-1702** to the full committee.

**MOTION:** **Rep. Erpelding** made a motion to approve **Docket No. 02-0101-1702**. **Motion carried by voice vote.**

**Rep. Amador** gave a brief explanation of **Docket No. 02-0214-1703** to the full committee.

**MOTION:** **Rep. Erpelding** made a motion to approve **Docket No. 02-0214-1703**. **Motion carried by voice vote.**

**Rep. Amador** gave a brief explanation of **Docket No. 02-0214-1702** to the full Committee.

**MOTION:** **Rep. Erpelding** made a motion to approve **Docket No. 02-0214-1702**. **Motion carried by voice vote.**

**Rep. Amador** gave a brief explanation of **Docket No. 02-0214-1701** to the full committee.

**MOTION:** **Rep. Miller** made a motion to approve **Docket No. 02-0214-1701**. **Motion carried by voice vote.**

**DOCKET NO. 42-0101-1701:** **Clark Hamilton**, Idaho Wheat Commission, presented **Docket No. 42-0101-1701** explaining the rule change allows the Wheat Commission to collect the names and addresses of wheat growers when the wheat tax is collected. He said having this information is critical for the Wheat Commission to perform their statutory duty of serving all wheat growers in the state of Idaho. He stated at this time the commission has no way of reporting how they have invested their dollars or a way to ask growers for their advice on future investments. Mr. Hamilton said the commission took the recommendations made last year from the committee and is happy to report the completion of that process. He said the Attorney General's office determined the information would not be subjected to public record requests. Mr. Hamilton stated he is confident the rule before the committee today is now broadly accepted and will greatly help to fulfill the responsibility of the Wheat Commission to wisely invest and account for the dollars growers entrust to them.

In response to a committee question concerning processes in place insuring the protection of information, **Blaine Jacobsen**, Executive Director of Idaho Wheat Commission, said the names and addresses are password protected and not part of a network. The hard copies are held under lock and key. He stated more than half of the growers and operators are already participating and reminded the committee, growers have the option to opt out without penalty.

**Clark Hamilton** returned to the podium when asked by the committee to give an example of how he has benefited by having faster communication from the Wheat Commission. He was warned by the commission early to treat for Wheat Rust, stating those neighboring farms, that did not receive this information harvested 30% less crop than he did.

**MOTION:** **Rep. Erpelding** made a motion to approve **Docket No. 42-0101-1701. Motion carried by voice vote. Rep. Miller** and **Zito** requested to be recorded as voting **NAY.**

**ADJOURN:** There being no further business to come before the committee, the meeting adjourned at 2:29 p.m.

---

Representative Boyle  
Chair

---

Joan Majors  
Secretary

**AMENDED AGENDA #1**  
**HOUSE AGRICULTURAL AFFAIRS COMMITTEE**  
**1:30 P.M.**  
**Room EW42**  
**Monday, January 22, 2018**

<b>DOCKET</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
	Nutrient Management Plan 101	Scott Leibsle, DVM Deputy Bureau Chief
<a href="#"><u>DOCKET NO. 02-0414-1702</u></a>	Rules Governing Dairy Byproduct	Bob Naerebout, Idaho Dairymen's Association

***If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Boyle	Rep Burtenshaw	Rep Armstrong
Vice Chairman Dayley	Rep Kerby	Rep Hanks
Rep Bell	Rep Troy	Rep Zito
Rep Miller	Rep Stevenson	Rep Erpelding
Rep VanOrden	Rep Amador	Rep Toone

COMMITTEE SECRETARY

Joan Majors  
Room: EW11  
Phone: 332-1137  
email: [hagri@house.idaho.gov](mailto:hagri@house.idaho.gov)

MINUTES  
**HOUSE AGRICULTURAL AFFAIRS COMMITTEE**

**DATE:** Monday, January 22, 2018

**TIME:** 1:30 P.M.

**PLACE:** Room EW42

**MEMBERS:** Chairman Boyle, Vice Chairman Dayley, Representatives Bell, Miller, VanOrden, Burtenshaw, Kerby, Troy, Stevenson, Amador, Armstrong, Hanks, Zito, Erpelding, Toone

**ABSENT/  
EXCUSED:** None

**GUESTS:** Pete Doornenbal, P&L Dairy; Stephanie Kulesza, Idaho Dairy Association (IDA); Megan Satterwhite, IDA; Ted Vander Schaaf, Vander Schaaf Farms- IDA; Bob Naerebout, IDA; Jonathan Oppenheimer, Idaho Conservation League; Scott Leibsle, Idaho State Department of Agriculture (ISDA); Russ Hendricks, Farm Bureau; Dennis Stevenson, Rules Coordinator; Marv Patten, MPI; Murphy Olmstead, Wittmeyer and Assoc.

**Chairman Boyle** called the meeting to order at 1:32 p.m.

**Chairman Boyle** turned the gavel over to **Vice Chairman Dayley**.

**MOTION:** **Rep. Miller** made a motion to approve the minutes of the Tuesday, January 16, 2018 Amador Subcommittee meeting. **Motion carried by voice vote.**

**Dr. Scott Leibsle**, Deputy State Veterinarian, explained plants will only absorb the nutrients they need to grow. Animals will take in more than they need and then excrete the excess through urine and manure. If not managed properly, too much nutrient will leach into groundwater or run off into surface water. He explained too much nutrient can create health and environmental concerns.

**Dr. Leibsle** said all grade A dairies in Idaho, regardless of size, must have an up-to-date Nutrient Management Plan (NMP) that is approved by the Idaho State Department of Agriculture. He said the approval process consists of reviewing and confirming the dairy has enough containment space available for the volume of nutrients that is being produced on the facility. He stated the second role of the ISDA is the annual NMP review scheduled with a producer to discuss crop yields, soil testing numbers and updates to the facility.

**DOCKET NO. 02-0414-1702:** **Bob Naerebout**, Idaho Dairymen's Association, stated in 2000 and 2001, the Idaho Legislature required dairy farms to have a NMP. This is the first proposed major revision to the Nutrient Management Standards since it was enacted. He stated phosphorus index assesses the risk of phosphorus loss rather than an arbitrary soil test value. While phosphorus indexing is widely used, each state or region has an index catered to their soil and climatic conditions. Mr. Naerebout explained how the phosphorus rating is used to determine the field Risk Rating.

**Mr. Naerebout** reported information had been distributed to Idaho dairy producers over the past 18 months in membership letters and the IDA Dairy Focus, electronically and through USPS. He said this year, the main topic of the four IDA District meetings was phosphorus management and introduction to phosphorous indexing. In total the authors and contributors of the Idaho Phosphorus Index Nutrient Management Standard made no fewer than 11 detailed Phosphorus Indexing presentations to at least 13 state organization, state associations and state and federal agencies who ultimately supported this effort.

**Mr. Naerebout** said ISDA will no longer provide a NMP to producers through the department. He said there are multiple private individuals and companies who provide nutrient management planning services to producers. It will be their prerogative to maintain or change their current pricing practices if the Phosphorus Indexing Rule is approved. He said there is a five year implementation time frame which is part of the rule. This will give the industry additional time to assess what, if any increase in cost the new rule has created and to identify avenues to reduce those costs.

**Pete Doornenbal**, P & L Dairyman, spoke **in support** of the rule stating it encourages Best Management Practices as well as helps him financially.

In response to a committee question, **Mr. Doornenbal** said these practices are things he has already implemented in his dairy and does not feel there is any additional burden put upon him to comply.

**Ted Vander Schaaf**, Vander Schaaf Dairies, spoke **in support** of the rule saying this is a positive step forward and will benefit the dairies as well as the environment.

**Jonathan Oppenheimer**, Idaho Conservation League, said they had been involved in the rule making process and now stand **in support** of the rule.

**MOTION:** **Rep. Miller** made a motion to approve **Docket No. 02-0414-1702. Motion carried by voice vote.**

**Vice Chairman Dayley** turned the gavel over to **Chairman Boyle**.

**ADJOURN:** There being no further business to come before the committee, the meeting adjourned at 2:40 p.m.

---

Representative Dayley  
Chair

---

Joan Majors  
Secretary

AGENDA  
**HOUSE AGRICULTURAL AFFAIRS COMMITTEE**  
1:30 P.M.  
Room EW42  
Wednesday, January 24, 2018

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#"><u>RS25800</u></a>	Sheep and Goat Health Board	Brandy Kay, Idaho Sheep and Goat Health Board
	Sheep Promo, Research and Education	Brandy Kay, Executive Director
	Idaho Rangelands	Gretchen Hyde, Executive Director

***If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Boyle	Rep Burtenshaw	Rep Armstrong
Vice Chairman Dayley	Rep Kerby	Rep Hanks
Rep Bell	Rep Troy	Rep Zito
Rep Miller	Rep Stevenson	Rep Erpelding
Rep VanOrden	Rep Amador	Rep Toone

COMMITTEE SECRETARY

Joan Majors  
Room: EW11  
Phone: 332-1137  
email: [hagri@house.idaho.gov](mailto:hagri@house.idaho.gov)

MINUTES  
**HOUSE AGRICULTURAL AFFAIRS COMMITTEE**

**DATE:** Wednesday, January 24, 2018

**TIME:** 1:30 P.M.

**PLACE:** Room EW42

**MEMBERS:** Chairman Boyle, Vice Chairman Dayley, Representatives Bell, Miller, VanOrden, Burtenshaw, Kerby, Troy, Stevenson, Amador, Armstrong, Hanks, Zito, Erpelding, Toone

**ABSENT/  
EXCUSED:** Rep. Troy, Kerby

**GUESTS:** Karen Launchbaugh, University of Idaho; Brandy Kay, Sheep and Goat Health Board; Gretchen Hyde, IRRRC; Brent Olmstead, CALS; Jan Barnett, IRP

**Chairman Boyle** called the meeting to order at 1:32 p.m.

**MOTION:** **Rep. Toone** made a motion to approve the minutes of the January 18, 2018 meeting. **Motion carried by voice vote.**

**RS 25800:** **Brandy Kay**, Idaho Sheep and Goat Health Board, explained the purpose of the proposed legislation is to clarify the goat assessment for future negotiated rule making.

**MOTION:** **Rep. VanOrden** made a motion to introduce **RS 25800**. **Motion carried by voice vote.**

**Bandy Kay**, Executive Director of Idaho Wool Growers, said their challenge as a board is to clarify negative publicity and help the public see the industry in a more positive light. She explained sheep grazing is not harsh on the environment and actually can be beneficial in keeping fire fuel down. She spoke about the need for migrant workers in the industry and the complexity of laws surrounding their availability.

In response to a committee question, **Ms. Kay** said their research indicates grazing sheep do not pass on diseases to Big Horn Sheep.

**Gretchen Hyde**, Executive Director of Idaho Rangeland Resource Commission (IRRC), explained the new web site which was developed to be used on mobile phones. Research has shown that more than 60 percent of people engaged in the internet marketplace do so from their mobile phones. She said the site has the same web address and includes all of the educational materials for K-12 schools in Idaho and the Life on the Range video series.

**Ms. Hyde** said the Rangeland Resource Commission received grants from both the Bureau of Land Management and the U.S. Forest Service which allowed them to continue their Care/Share initiative. She stated this year they set a record for outreach sign and sign production leading to the printing of 100 Care/Share cattle and sheep signs that have been sent into the field for posting. She said they emphasize caring for the resource and sharing it with others in the sign language.

**Ms. Hyde** said the University of Idaho Rangeland Center and Owyhee County Extension hosted the 2017 Western National Rangeland Career Development event in Marsing last November. This premier range judging event attracted 58 participants from 14 FFA chapters in 4 western states. She said the Idaho kids did extremely well, taking all five individual awards and four of the top five spots in the cumulative team scores.

**Ms. Hyde** stated the IRRC has been successful in developing partnerships and grants to help fund many of their programs but without the assessment and support of the livestock producers, the programs could not exist. She said the assessment rate has been the same since 1997. She stated the board works hard to get the most out of every dollar received.

**ADJOURN:** There being no further business to come before the committee, the meeting was adjourned at 2:22 p.m.

---

Representative Boyle  
Chair

---

Joan Majors  
Secretary

AGENDA  
**HOUSE AGRICULTURAL AFFAIRS COMMITTEE**  
**1:30 P.M.**  
**Room EW42**  
**Tuesday, January 30, 2018**

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
	Presentation, Future Farmers of America State Officers	Anna Peterson, FFA
	Soybean Cyst Nematode Impact to Idaho's Bean and Sugar Beet Industry	Roger Batt, Idaho Eastern Oregon Seed Association

***If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Boyle	Rep Burtenshaw	Rep Armstrong
Vice Chairman Dayley	Rep Kerby	Rep Hanks
Rep Bell	Rep Troy	Rep Zito
Rep Miller	Rep Stevenson	Rep Erpelding
Rep VanOrden	Rep Amador	Rep Toone

COMMITTEE SECRETARY

Joan Majors  
Room: EW11  
Phone: 332-1137  
email: [hagri@house.idaho.gov](mailto:hagri@house.idaho.gov)

MINUTES  
**HOUSE AGRICULTURAL AFFAIRS COMMITTEE**

- DATE:** Tuesday, January 30, 2018
- TIME:** 1:30 P.M.
- PLACE:** Room EW42
- MEMBERS:** Chairman Boyle, Vice Chairman Dayley, Representatives Bell, Miller, VanOrden, Burtenshaw, Kerby, Troy, Stevenson, Amador, Armstrong, Hanks, Zito, Erpelding, Toone
- ABSENT/  
EXCUSED:** None
- GUESTS:** Michael Goodson, Idaho Bean Commission; Roger Batt, Idaho Eastern Oregon Seed Association; Aaron Phillips, IEOSA; Dennis Tanikuni, Idaho Farm Bureau; Benjamin Kelly, Idaho Food Producers; Mark Duffin, Idaho Sugarbeet Growers; Paige Larrolea-Phillips, Food Producers; Nathan Helm, Melba Future Farmers of America (FFA); William Baird, Melba FFA; Brant Monanan, Melba FFA; Luke Vanderwerft, Melba FFA; Halie Workman, Melba FFA, Devin Padget, Melba FFA; Cindy Read, Melba FFA, Hailey Cowger, Melba FFA; Kaylee Andrus, Melba FFA; Cheylan Volkers, Melba FFA
- Chairman Boyle** called the meeting to order at 1:35 p.m.
- MOTION:** **Rep. Toone** made a motion to approve the minutes of the Monday, January 20, and Wednesday, January 24, 2018 meetings. **Motion carried by voice vote.**
- Anna Peterson**, Vice President Nampa Future Farmers of America (FFA) explained because agriculture is vital to the economy of Idaho and yet so few students are exposed to the many different ways agriculture affects their lives, she choose to propose through her senior project that the State Board of Education establish Agricultural Science as a high school graduation requirement. She said in the State of Idaho 1 out of 7 workers are directly employed in agriculture, yet fewer young people are choosing to work in the industry. She stated through Agriculture Science young people would have the opportunity to learn more about careers available supporting agriculture. She said 58% of students who are involved in agriculture through programs like FFA go on to college as opposed to only 46% of high school senior in the state of Idaho.
- Cindy Anderson**, Idaho State FFA Secretary spoke **in support** of the proposed mandatory Agriculture Science class for Idaho high school students. She spoke of the opportunities that have come to her through involvement in the FFA and Agriculture Programs offered through her high school.
- Saad Hafez**, Nematologist, University of Idaho explained he is testifying today neither in support nor against the soy bean industry but only to give the scientific facts of the impact on the industry if the commodity is brought into Idaho. He said the Bean Cyst Nematode can lay dormant in the soil for 8-10 years, only becoming active when a host plant is planted in the soil. The Soy Bean Cyst Nematode was discovered in Japan and now has spread everywhere soy beans are grown causing up to an 80% reduction in yield. He said the Soy Bean Cyst Nematode grows on a variety of other crops such as cucumbers, alfalfa, tomatoes and sugar beets. Mr. Hafez said the Soy Bean Cyst Nematode causes serious ramification including a halt to export. He explained how the nematode will adapt and create new breeds as they are introduced to nematode resistance plants. He explained trap crops and how they are used either pre planting or post planting to destroy the cyst nematode. He said it would be more efficient to work on management of the cyst nematodes

rather than eradication. He stated in the history of nematodes, they have never been able to eradicate them completely.

**Oliver Neher**, PhD Amalgamated Sugar Company, stated he is not representing the sugar beet growers but rather the opinion of the research arm of Amalgamated Sugar. He said the sugar beet industry contributes 87 million dollars to the Idaho economy Sugar Beet Cyst Nematode. He explained 65 to 75% of all the acres planted in sugar beets are affected by the Sugar Beet Cyst Nematode. He said we do have ways to treat the seeds with chemicals. He stated sugar beet seed tolerant to the sugar beet cyst nematodes can still produce nematode so over time the population slowly increases in the fields.

**Mr. Neher** said the Soy Bean Cyst Nematode could be a problem for the industry depending on how they are introduced to soy bean certified seed as everything that carries soil is a potential threat. He explained what happens to a sugar beet if it is penetrated by a cyst nematode, allowing other pathogens and diseases to enter the crop. He said currently in Idaho we have two round up ready crops; corn and sugar beets. If soy beans are added to the list there is an issue with volunteer soy beans in a beet field. He stated a soy bean rotation has the highest resistance to herbicide weeds.

**Aaron Phillips**, President of Idaho Eastern Oregon Seed Association, stated there are two distinct areas for bean seed production; the Treasure Valley and the Magic Valley. He said one of the risks to bean seed production concerning the soy bean has to do with the length of time it takes for them to fully mature. The soy bean requires an extra 30 days in the field. He stated the longer growing period allows for greater potential of diseases and insect damage. He said the soy bean crop is more frost resistant allowing an opportunity for disease to persist in the soy bean plant later in the year. He stated if the disease is found in our seed, the exports of bean seed out of Idaho will be closed, there will be a huge loss to the market and the states reputation as a premier grower of seed will be damaged.

**Chairman Boyle** turned the gavel over to **Vice Chairman Dayley**.

**Mr. Phillips** stated the rules and regulations put in place have been a protector to the industry and any lax in the rules would potentially be damaging to the industry. He said Idaho is the number one dry bean seed grower in the United States and he wants to continue to place Idaho seed at the top tier of growers.

**Roger Batt**, Idaho Eastern Oregon Seed Association, said the industry is very concerned with soy bean cyst nematode and does not want it here in the State of Idaho because of its devastating impact not only to the bean industry but to other crops as well. Mr. Batt said when the industry asked for negotiated rules making to take place on this issue they were denied by the Agricultural Department stating there already were several measures in place to protect the industry. He said they respectfully disagree. Mr. Batt explained the two proposals they will be making to the legislature this session.

In response to a committee question, **Mr. Batt** said the growers are supportive of both proposal.

In response to committee question, **Mr. Batt** said in the mid west where soy beans are grown, they do have the Bean Cyst Nematode but they do not have the same bean seed industry as we have here.

**ADJOURN:** There being no further business to come before the committee, the meeting adjourned at 3:06 p.m.

---

Representative Boyle  
Chair

---

Joan Majors  
Secretary

**AMENDED AGENDA #1**  
**HOUSE AGRICULTURAL AFFAIRS COMMITTEE**  
**1:30 P.M.**  
**Room EW42**  
**Tuesday, February 06, 2018**

---

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
	Invasion Species Update	Lloyd Knight, Administrator, Division of Plant Industry
<a href="#">H 407</a>	Goats, Wool Assessment	Brandy Kay, Idaho Sheep and Goat Health Board

***If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Boyle	Rep Burtenshaw	Rep Armstrong
Vice Chairman Dayley	Rep Kerby	Rep Hanks
Rep Bell	Rep Troy	Rep Zito
Rep Miller	Rep Stevenson	Rep Erpelding
Rep VanOrden	Rep Amador	Rep Toone

COMMITTEE SECRETARY

Joan Majors  
Room: EW11  
Phone: 332-1137  
email: [hagri@house.idaho.gov](mailto:hagri@house.idaho.gov)

MINUTES  
**HOUSE AGRICULTURAL AFFAIRS COMMITTEE**

**DATE:** Tuesday, February 06, 2018

**TIME:** 1:30 P.M.

**PLACE:** Room EW42

**MEMBERS:** Chairman Boyle, Vice Chairman Dayley, Representatives Bell, Miller, VanOrden, Burtenshaw, Kerby, Troy, Stevenson, Amador, Armstrong, Hanks, Zito, Erpelding, Toone

**ABSENT/  
EXCUSED:** Rep. Boyle

**GUESTS:** Nic Zurfluh, ISDA; Lloyd Knight, ISDA; Brandy Kay, IWGA; Jeremey Varley, ISDA

**Vice Chairman Dayley** called the meeting to order at 1:31 p.m.

**Lloyd McKnight**, Administrator, Division of Plant Industry, explained prior to 2017, the Invasive Species program operated on funding through the Invasive Species Sticker. He said in 2017, through the Idaho Legislature, they received spending authority from the General Fund, a one time federal fund, their base fund and additional funding for Idaho State Police support. He said this additional funding has allowed for three new inspection stations, plus 24 hour operation at Cottrell and four new full-time positions.

**Nic Zurfluh**, ISDA Section Manager said they are concentrating on three area programs which are; Prevention, Early Detection Monitoring and Education and Outreach. He said this is the 9th year of the Inspection Program. They now have 18 inspection station through out the state. He said in 2017, they did 93,083 watercraft inspections, finding 31 mussel fouled vessels. Of the 31 found, 29 were non-viable mussels and 2 were viable mussels. He stated each of the inspection stations is unique and able to gather a great deal of information through the inspections to know what are peak months and also peak destinations flowing in and out of Idaho. He said all of this information helps them to know how to man the inspection stations.

In response to committee question **Mr. Zurfluh** said all watercraft has to be inspected including kayaks and inflatable rafts.

**Mr. Zurfluh** explained how the Roving Inspection crew is able to assist at busy stations over holiday week-ends, regatta events, and races. He explained the site improvements scheduled for 2018, which include adding internet service to certain stations, work shelters, solar panels and permanent signage. He stated networking between regional partners is improving and gave examples of the foul watercraft protocol explaining it must be followed exactly and passed on in real time.

**Jeremey Varley**, Section Manager, said his goal was to reach out to the regional specialist and be a resource for them. He said he encouraged them to continue their outreach efforts by visiting many of the local weed superintendents as well as the county cooperative weed managers to better facilitate noxious weed efforts through out the state. Mr. Varley reviewed the Cooperative Weed Management Area Cost Share grant (CWMA) from 2017, and said there were 29 CWMA's who participated with over 180,955 acres of noxious weeds treated along with 1,692 acres of site revegetation. Mr. Varley said this year, 30 CWMA's have been applied for and the recommendations have been passed to the Director for approval. He explained the federal funding this year is tied to the Sage Grouse habitat and the relationship to forest canopy cover. He reported on various Noxious Weed

projects from 2017, including Hydrilla, Eurasian Watermilfoil, Flowering Rush, and Phragmites Australis. He said each aquatic species comes with the challenge of selecting the best management practice to achieve control level goals.

**H 407:** **Brandy Kay**, Idaho Sheep and Goat Health Board, stating the purpose of this bill is to clarify the goat assessment. This will help the Sheep and Goat Health Board be better able to clarify the goat assessment rules in future negotiated rules.

**MOTION:** **Rep. Erpelding** made a motion to send **H 407** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Erpelding** will sponsor the bill on the floor.

**ADJOURN:** There being no further business to come before the committee, the meeting was adjourned at 2:55 p.m.

---

Representative Dayley  
Vice Chair

---

Joan Majors  
Secretary

MINUTES  
**HOUSE AGRICULTURAL AFFAIRS COMMITTEE**

**DATE:** Thursday, February 08, 2018

**TIME:** 1:30 P.M.

**PLACE:** Room EW42

**MEMBERS:** Chairman Boyle, Vice Chairman Dayley, Representatives Bell, Miller, VanOrden, Burtenshaw, Kerby, Troy, Stevenson, Amador, Armstrong, Hanks, Zito, Erpelding, Toone

**ABSENT/  
EXCUSED:** Rep. Bell, VanOrden

**GUESTS:** Dennis Tanikuni, Idaho Farm Bureau; Wyatt Prescott, ICA; Braden Jensen, Idaho Farm Bureau; Kelly Olsen, Idaho Barley Commission; Brenna Christison, Idaho Wine Commission; Moya Dolsby, Idaho Wine Commission; Jim Nunley, Sportsman; Patrick Guzzle, Health and Welfare; Elizabeth Criner, Food Northwest; Brandy Kay, IWGA; Marv Patton, MPI; Suzanne Budge, SBS Assoc LLC; Brian Brooks, Idaho Wildlife Federation

**Chairman Boyle** called the meeting to order at 1:34 p.m.

**MOTION:** **Rep. Kerby** made a motion to approve the minutes of the January 30, 2018, meeting. **Motion carried by voice vote.**

**RS 26053:** **Elizabeth Criner**, Food Northwest, stated for the human food manufactures, the primary oversight for food safety and inspections falls within the jurisdiction of the federal Food and Drug Administration (FDA), under the authority of the Food Safety and Modernization Act (FSMA). She said the FDA contracts a number of these inspections out to the State of Idaho and currently they are contracted with the Idaho Department of Health and Welfare. She said this legislation would transition that responsibility over to the Idaho Department of Agriculture by fiscal year 2020. In addition, she said FSMA requires food safety inspections in some instances for production agriculture under the auspice of the federal produce safety rule. This legislation authorizes the ISDA to administer and enforce the produce safety rule over the Department of Agriculture, not to exceed the standards required by federal law.

In response to a committee question, **Ms. Criner** said the amount requested from the general fund is a cushion in case their expenses are not covered by user fees.

**MOTION:** **Rep. Kerby** made a motion to introduce **RS 26053**. **Motion carried by voice vote.**  
**Chairman Boyle** turned the gavel over to **Vice Chairman Dayley**.

**RS 26114:** **Rep. Boyle** said this proposed legislation changes how we deal with trespassing on private property. When the eclipse happened this past year, she said a lot of issues became apparent. She stated because property rights are the corner stone of America, making us different from most of the world, it is necessary that we should protect them. She said this proposed legislation will help modernize the law, making it more consistent, eliminate duplication, and modify penalties. She explained it will also require a permission slip for both parties when given access to private lands by the owner as a protection to both parties. She said several states are already doing a permission slip.

In response to a committee question, **Rep. Boyle** said land owners will only have to mark entrances, streams and other access points. She said this puts the responsibility on the people to know where they are at all times rather than relying on land markers.

In response to a committee question regard the possible penalty of a felony conviction, **Rep. Boyle** said it is reserved for those who willfully and repeatedly violate private property rights.

**MOTION:** **Rep. Miller** made a motion to introduce **RS 26114. Motion carried by voice vote.**

**RS 26124:** **Rep. Boyle** said about four years ago the state was having a lot of problems with wolf depredation so the sportsman, the live stock owners and the state all came together and each put up money for a solution. She stated in the USDA is a department called Wild Life Services that deals with predators. She explained they suffered a huge loss in funding, so in order to keep them going and solvent, it was decided the livestock owners, wool growers and sportsman would contribute to their fund in addition to **Governor Otter** authorizing the state to contributed \$400,000 for five years. **Rep. Boyle** said the problem is the sunset date does not fall in the budget cycle to fund it properly. The date should have been 2020 rather than 2019. This proposed legislation is to extend the date to 2020 to keep the 5 year promise.

In response to a committee question, **Rep. Boyle** explained wolves are no longer on the endangered species list therefore no longer under federal control. The State put a sunset date on the fund so it could be re-evaluated.

**MOTION:** **Rep. Miller** made a motion to introduce **RS 26124. Motion carried by voice vote.**

**Vice Chairman Dayley** turned the gavel over to **Chairman Boyle**.

**Moya Dolsby**, Executive Director Idaho Wine Commission, explained the Idaho Wine Commission acts as the united voice of the Idaho wine industry and to help grow awareness and sales of Idaho wines. She said the Idaho Wine Industry grew from 73 million dollar impact in 2008 to 169.3 million dollar impact in 2013. During that same time period they were able to increase full time jobs in the industry from 625 to 1,226 as well as increase the number of wineries from 38 to 51. She stated they have a 9.8% share of the wine market in Idaho and through education and marketing, hope to increase their share to 15% by 2022.

In response to a committee questions, **Ms. Dolsby** said smoke tainted grapes is a real problem for much of the California harvest because of the fires there last year.

**Kelly Olsen**, Idaho Barley Commission (IBC), stated Idaho is the largest barley producer in the U.S. She said production was down this year 22% but because the industry was coming off a two year bumper crop, it has not been a problem as things were able to balance out. She said beer consumption is down for the 5th year in a row but imported beer continues to grow. She explained this is due mostly to the drinking habits of Millennials. She reported Japan is a big customer for Idaho Barley and explained how they use it in their diet as a healthy source of fiber. **Ms. Olsen** said Barley helps with weigh control because it digests slowly keeping blood glucose levels even. She spoke of ways they are partnering to launch other food products.

In response to a committee question, **Ms. Olsen** said much of the research being done is in part due to the hire of **Christopher Rogers**. One of the projects he is working on is looking at better ways to measure nitrogen in the soil as it is the number one cost in growing Barley.

**ADJOURN:** There being no further business to come before the committee, the meeting was adjourned at 2:47 p.m.

---

Representative Boyle  
Chair

---

Joan Majors  
Secretary

**AMENDED AGENDA #1**  
**HOUSE AGRICULTURAL AFFAIRS COMMITTEE**  
**1:30 P.M.**  
**Room EW42**  
**Monday, February 12, 2018**

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#"><u>RS26170</u></a>	University of Idaho Public Policy Students	Rick Waitley, U of I
	Brand Inspections	Rep. Boyle
	Idaho Potato Commission	Frank Muir, President, Chief Executive Officer
	Grower Concerns	Stephanie Mickelsen, Grower

***If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Boyle	Rep Burtenshaw	Rep Armstrong
Vice Chairman Dayley	Rep Kerby	Rep Hanks
Rep Bell	Rep Troy	Rep Zito
Rep Miller	Rep Stevenson	Rep Erpelding
Rep VanOrden	Rep Amador	Rep Toone

COMMITTEE SECRETARY

Joan Majors  
Room: EW11  
Phone: 332-1137  
email: [hagri@house.idaho.gov](mailto:hagri@house.idaho.gov)

MINUTES  
**HOUSE AGRICULTURAL AFFAIRS COMMITTEE**

**DATE:** Monday, February 12, 2018  
**TIME:** 1:30 P.M.  
**PLACE:** Room EW42  
**MEMBERS:** Chairman Boyle, Vice Chairman Dayley, Representatives Bell, Miller, VanOrden, Burtenshaw, Kerby, Troy, Stevenson, Amador, Armstrong, Hanks, Zito, Erpelding, Toone

**ABSENT/  
EXCUSED:** Rep. VanOrden

**GUESTS:** Andrew, Mark and Stephanie Mickelsen, Farmers; Rick Waitley, Food Producers; Lloyd Knight, ISDA; Travis Blacker, IPC; Mary Hasenoehrl, Farmer; John Eaton, IACI; Dennis Tanikuni, Idaho Farm Bureau; Randy Hardy, IPC; Patrick Kole, IPC

**Chairman Boyle** called the meeting to order at 1:34 p.m.

**Rick Waitley**, Idaho Food Producers, introduced the 18th annual enrollees from the Agriculture Economic Public Policy class. He explained they are juniors and seniors from the University of Idaho observing and learning how public policy works in the State of Idaho.

**Frank Muir**, Idaho Potato Commission, CEO, President, introduced the members of the commission accompanying him today. He stated 2017 was a strong year in terms of revenue with farmers growing more potatoes than were budgeted for but regardless they were able to sell them all. He said growers planted more than 320,000 acres of potatoes, which result in a farm gate revenue of nearly \$1 billion dollars. The total economic impact of the Idaho potato industry is over \$4 billion dollars. He explained the reserve but emphasized they don't have a large reserve preferring to have all dollars working for the growers.

In regards to the proposed nuclear seed potato lab at the University of Idaho in Moscow, **Mr. Muir** said the IPC proposes to commit to funding this project with a total sponsorship of \$1.25 million, paid in equal annual increments over 10 years. He said the lab would ensure that Idaho maintains a clean supply of seed potatoes for years to come.

**Mr. Muir** explained one of the challenges this year is transportation and the impact of Electronic Logging Devices (ELD) on the Idaho Potato Industry. He said they have received numerous notifications stating the ELD's and Hours of Service (HOS) rules have caused a substantial increase in transportation costs. In some cases, rates have increased an additional 40-60% for both trucks and rail service over the last few months. He explained this has had a negative impact on the supply of transportation and not only has it impacted the potato industry but it is affecting all commodities and products around the country.

**Mr. Muir** presented some of the accomplishments the IPC has been able to make in the past fourteen years. They have been able to fight back the negative restrictions placed on potatoes during the era of the low carb diet, began advertising nationally and around the world for the first time, became a one stop shop for all varieties of potatoes, and grew the annual average Farm Gate revenue from \$663 million to \$980 million. He explained the success of the various marketing projects including the Potato Truck, Potato Bowl game and the Potato Drop on New Years Eve.

In response to a committee question, **Mr. Muir** explained why Idaho should be the location of another processing plant. He said research shows Idaho is the best low-cost location in the US for such a facility.

**Andrew Mickelsen**, Grower, stated his family farm is run by a 5th and 6th generation of Idaho Farmers. He said their operation includes seed potatoes, large commercial potato farm, potato packing shed and potato processing plant. He said they employ over 250 people and will pay the IPC almost \$46,000 this year. He explained the assessment of \$0.125 a CWT to the IPC. He said the IPC is made up of 9 Commissioners. He explained 5 of them are growers, 2 are processors and 2 are shippers. He reported how the commissioners are picked from three names nominated by the growers, shippers and processors and then the Governor selects one to fill the seat. He said he would like to see better representation based on the percentage of growers, processors and shippers in the area.

**Stephanie Mickelsen**, Grower, in response to a committee question said they need a less complicated way to request a reduction of assessment during the lower yield years.

**ADJOURN:** There being no further business to come before the committee, the meeting was adjourned at 2:53 p.m.

---

Representative Boyle  
Chair

---

Joan Majors  
Secretary

**AMENDED AGENDA #1**  
**HOUSE AGRICULTURAL AFFAIRS COMMITTEE**  
**1:30 P.M.**  
**Room EW42**  
**Wednesday, February 14, 2018**

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
	Financial Condition of Idaho Agriculture	Garth Taylor, University of Idaho
<a href="#"><u>H 536</u></a>	Trespass, Civil, Criminal	Rep. Boyle

***If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Boyle	Rep Burtenshaw	Rep Armstrong
Vice Chairman Dayley	Rep Kerby	Rep Hanks
Rep Bell	Rep Troy	Rep Zito
Rep Miller	Rep Stevenson	Rep Erpelding
Rep VanOrden	Rep Amador	Rep Toone

COMMITTEE SECRETARY

Joan Majors  
Room: EW11  
Phone: 332-1137  
email: [hagri@house.idaho.gov](mailto:hagri@house.idaho.gov)

MINUTES  
**HOUSE AGRICULTURAL AFFAIRS COMMITTEE**

**DATE:** Wednesday, February 14, 2018

**TIME:** 1:30 P.M.

**PLACE:** Room EW42

**MEMBERS:** Chairman Boyle, Vice Chairman Dayley, Representatives Bell, Miller, VanOrden, Burtenshaw, Kerby, Troy, Stevenson, Amador, Armstrong, Hanks, Zito, Erpelding, Toone

**ABSENT/  
EXCUSED:** None

**GUESTS:** The sign in sheet will be retained with the minutes in the committee secretary's office until the end of session. Following the end of session, the sign-in sheet will be filed with the minutes in the Legislative Services Library.

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

**MOTION:** **Rep. Toone** made a motion to approve the minutes of the January 6 and 8, 2018 meetings. **Motion carried by voice vote.**

**Chairman Boyle** recognized **Alex Fesperman** and thanked her for her service as Page to the Agricultural Affairs Committee.

**Garth Taylor**, University of Idaho, said Idaho is the fourth largest Ag State in Farm Gross Domestic Product (GDP) as a percentage of total GDP, behind South Dakota, Nebraska and Iowa. Idaho ranks 3rd in West Net Farm Income behind California and Washington. He stated Idaho is larger in Net Farm Income than New Mexico, Utah, Wyoming and Nevada combined. He reported following two down years, in 2017 cash receipts were up 5% with the largest increases in livestock, potatoes and dry beans. He said the largest growth in Idaho continues to be from dairy. Dr. Taylor indicated Idaho Agriculture exports have rebound after a 20% decline with Canada and Mexico being the largest countries of exports from Idaho. He stated after three years of decline, net farm income is up 15%, increasing from \$1.7 billion in 2016, to \$1.9 billion in 2017. He explained how volatility will affect the market as uncontrolled causes such as weather, embargoes and export markets fluctuate. He said real Idaho farm GDP has grown 90% more than real Idaho GDP as we are continuing to grow more food with greater efficiency. In regards to the forecast for 2018, Dr. Taylor said milk prices should improve by the second half of 2018. He said beef prices and potato prices should remain good thru the first part of the year but may decline due to weak prices of hay and grain.

**Chairman Boyle** turned the gavel over to **Vice Chairman Dayley**.

**H 536:** **Rep. Boyle** explained this legislation is concerning property rights and how they are dealt with. She said it is our constitutional right to hunt and fish but it does not create a right to trespass on private property. She said the Fish and Game code carries a higher penalty than does the penalty for criminal trespassing. Land owners are frustrated at the burden placed on them having to paint their property lines every 660 feet only to have others come behind and paint over the markings. She stated the majority of people respect private lands but the small number who abuse it are often not prosecuted because the fines are so small it is not worth the law enforcement's effort. She indicated a permission card similar to what the Fish and Game currently have in place would be used by private land owners to grant permission to access their land.

**Gary Allen**, Idaho Property Rights Coalition, said this legislation is a comprehensive clean-up of the trespassing statutes running through three titles of the code as well as an enhancement of remedies. He explained the currently code would be difficult to clean up and get total agreement from all involved. This is an attempt to get most of it right given the ambition of the bill. He listed the inconsistencies of the code having to do with language, fencing and cultivated crops to name a few. He said the law of trespassing has been a part of common law for centuries in that if someone comes on to your property and cause damage, they are responsible. He stated over the years the legislature has had the authority to supersede common law and has done so by passing civil, criminal and recreational trespassing statutes. The coalition, he said, believes the definition for trespassing and the penalties should be uniform throughout the code as the current penalties are insufficient to deter trespassing.

In response to a committee question regarding door to door sales people, campaigning, or other similar activities, **Mr. Allen** said this has been addressed in the United States Supreme Court. If a no solicitation sign is posted and someone trespasses, that would be a violation.

Those individuals speaking **in support** of **H 536** were **Cody Chandler**, Rancher; **Brett Ricks**, IFBF, Landowner; **Darren Taber**, IFBF; **Neil Ward**, Landowner; **Tom Billington**, IFBF; **Tracy Walton**, Farmer; **Rick Brune**, Farmer; **Cameron Mulrony**, ICA, Landowner; **Mark Ozburn**, Farmer;

They shared similar stories of crop damage, fencing cut through, property damaged, trespassing signs ignored, and the burden of property marking on the land owner. They spoke of the frustration of deputies responding to their calls only to file reports because investigations are too expensive and not cost effective due to the low trespassing fine.

Individuals testifying on behalf of organizations **in support** of **H 536** were **Bill Hart**, representing Idaho Consumer Owned Utilities; **Stacy Satterlee**, IGPA/ Food Producers; **John Eaton**, Idaho Association of Commerce and Industry (IACI); and **Brandy Kay**, Idaho Wool Growers Association.

They stated the fee established in 1970 does not deter trespassing and it seems the land owners shoulder all the burden of marking their land when the burden should be on the person seeking access.

Testifying **in opposition** of **H 536** were; **Michael Gibson**, Trout Unlimited; **Kehle Becker**, Idaho Wildlife Federation (IWF); **Brian Brooks**, Idaho Wildlife Federation; **Benn Brocksome**, ISA, **Mike Kane**, IAC/ISA; and **Holly Koole-Rebholtz**, Idaho Persecutors Association.

Some of their concerns were the strong penalty for repeat offenders, increased responsibility for hunters or sportsman to know where they were at all times amid changing property lines, and accessibility to reliable GPS devices. They stated concerns about unintended consequences resulting from the passage of this legislation and the difficulty of enforcing the law. They requested more collaboration with groups who are opposed to the legislation.

**Gary Allen**, returned to the stand to address committee questions. He stressed this bill is aimed toward repeat offenders, those who are willful and intentionally trespassing on private property. He said the felony charge is reserved for someone who has a third conviction with-in ten years.

**Rep. Boyle** stated there has been wide spread support as well as collaboration during the years she has worked on the bill. She said this bill focuses on private property owners, those who have paid for the land and are paying taxes, She reminded the committee that 62% of Idaho is public land providing plenty of opportunities to fish and hunt without trespassing on private land.

**MOTION:**

**Rep. Zito** made a motion to send **H 536** to the floor with a **DO PASS** recommendation.

**SUBSTITUTE MOTION:**

**Rep. Armstrong** made a substitute motion to **HOLD H 536** in committee.

**AMENDED SUBSTITUTE MOTION:**

**Rep. Toone** made an amended substitute motion to send **H 536** to General Orders.

**MOTION WITHDRAWN:**

**Rep. Armstrong** withdrew his substitute motion to **HOLD H 536** in committee.

**VOTE ON AMENDED SUBSTITUTE MOTION:**

**Vice Chairman Dayley** called for a vote on the amended substitute motion to send **H 536** to General Orders. **Motion failed by voice vote.**

**VOTE ON ORIGINAL MOTION:**

**Vice Chairman Dayley** called for a vote on the original motion to send **H 536** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep Erpelding** requested he be recorded as voting **NAY.** **Rep. Boyle** will sponsor the bill on the floor.

**Vice Chairman Dayley** turned the gavel over to **Chairman Boyle.**

**ADJOURN:**

There being no further business to come before the committee, the meeting was adjourned at 5:51 p.m.

---

Representative Dayley  
Chair

---

Joan Majors  
Secretary

AGENDA  
**HOUSE AGRICULTURAL AFFAIRS COMMITTEE**  
**1:30 P.M.**  
**Room EW42**  
**Tuesday, February 20, 2018**

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
	FFA State Officers	Lindsey Stowell, Idaho FFA President
<a href="#">H 537</a>	Produce Safety Law	Elizabeth Criner, Food Northwest
<a href="#">H 602</a>	Horse Brand Idaho Pea and Lentil	Rep. Boyle Pat Smith, Chair of Idaho Pea and Lentils, Cole Rigger, Chair of Growers

***If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Boyle	Rep Burtenshaw	Rep Armstrong
Vice Chairman Dayley	Rep Kerby	Rep Hanks
Rep Bell	Rep Troy	Rep Zito
Rep Miller	Rep Stevenson	Rep Erpelding
Rep VanOrden	Rep Amador	Rep Toone

COMMITTEE SECRETARY

Joan Majors  
Room: EW11  
Phone: 332-1137  
email: [hagri@house.idaho.gov](mailto:hagri@house.idaho.gov)

MINUTES  
**HOUSE AGRICULTURAL AFFAIRS COMMITTEE**

**DATE:** Tuesday, February 20, 2018

**TIME:** 1:30 P.M.

**PLACE:** Room EW42

**MEMBERS:** Chairman Boyle, Vice Chairman Dayley, Representatives Bell, Miller, VanOrden, Burtenshaw, Kerby, Troy, Stevenson, Amador, Armstrong, Hanks, Zito, Erpelding, Toone

**ABSENT/  
EXCUSED:** None

**GUESTS:** Larry A. Hayhurst, State Brand INSP; Rep. Clark Kauffman, House; Candi Fitch, Idaho-Oregon Fruit and Veg. Assn; Ed McNelis, Idaho Quarter Horse Assoc; Cody Burlite, Idaho Brand Insp; Sydney Anderson, Idaho FFA; Austen Thomason, Idaho FFA; Patrick Guzzle, IDHW; Elizabeth Criner, Food Northwest; Debra J Amsden, Idaho Horse Council; Charlene Cooper, Idaho Horse Board; Clara-Leigh Evans, University of Idaho/Idaho FFA; Myron Amsden, Idaho Horse Council; Wyatt Prescott, ICA; Dennis Stevenson, Rules Coordinator; Cole Riggs, Western Pulse Growers Assn; Pat L Smith, Idaho Pea and Lentil Commission; Dennis Tanikuni, Idaho Farm Bureau

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

**MOTION:** **Rep. Toone** made a motion to approve the minutes of the February 12, 2018, meeting. **Motion carried by voice vote.**

**Austen Thomason**, Idaho Future Farmers of America (FFA) Treasurer from Weiser FFA, addressed the committee stating Idaho FFA has had an excellent year. He said they have been growing, leading and serving through agriculture education. He explained they are developing workforce skills as students in career and technical education in over 92 chapters through out Idaho. He explained several service projects accomplished by the members including packaging peas, lentils and spices to send out to the community, serving lunch at the veterans home and listening to their stories and serving dinner at the Boise Rescue Mission. He said service is a very important aspect of Idaho FFA and they will continue to search for ways to serve in their communities. He said leadership is a key component of their FFA mission and included a year of traveling across the state delivering leadership workshops to high school members. He reported they have also spent time advocating for Idaho FFA on a national, and international level, traveling to Washington D.C. and to the National FFA Convention. He thanked the Legislature for their support and promised to continue to work to pursue success through the FFA Motto, Learning to Do, Doing to Learn, Earning to Live and Living to Serve.

**H 537:** **Rep. Kauffman**, explained for human food manufactures, the primary oversight for food safety and inspections falls within the jurisdiction of the federal Food and Drug Administration (FDA), under the authority of the Food and Safety Modernization Act (FSMA). The FDA has in the past contracted a number of these inspections out to the State of Idaho. At the present time, they are contracting with the Idaho Department of Health and Welfare. This legislation would transition that responsibility over to the Idaho Department of Agriculture by fiscal year 2020. He said this legislation authorizes the production agriculture under the auspices of federal produce safety rule. This legislation authorizes the ISDA to administer and enforce the produce safety rule, not to exceed the standards required by federal law. He reported the funds now allocated to Health and Welfare would transition to

the Agriculture Department and because there may be some unknowns, it may be necessary to request some funding from the General Funds.

Speaking on behalf of organizations **in support of H 537** were **Candi Fitch**, representing Idaho-Oregon Fruit and Vegetable Assn. and Food Producers as well as **Elizabeth Criner**, representing Food Northwest.

**MOTION:** **Rep. Dayley** made a motion to send **H 537** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Kauffman** will sponsor the bill on the floor.

**Rep. Boyle** turned the gavel over to **Vice Chairman Dayley**.

**H 602:** **Rep. Boyle** explained this legislation is about a change in horse brand inspections. She said this is a discussion that has been necessary to take place for several years. She indicated several states through out the west do not have mandatory horse brand inspections any longer and pointed out Oregon stopped requiring brand horse inspections nearly 5 years ago. She said in 2017, the record shows 9,611 equine inspections were done, yet it is estimated there are over 250,000 horses in Idaho, making it obvious owners are not following the mandatory brand law. She stated there is a life time \$35.00 fee offered but that is not enough to offset the short fall that is made up by the cattle brand fees. **Rep. Boyle** said there needs to be a discussion about the necessity of horse branding. She said she would like to work with the Brand Department, and all those involved. She asked for **H 602** to remain in committee so that can happen.

**MOTION:** **Rep. Burtenshaw** made a motion to **HOLD H 602** in committee. **Motion carried by voice vote.**

**Vice Chairman Dayley** turned the gavel over to **Chairman Boyle**.

**Pat Smith**, Chair of the Pea and Lentil Commission, introduced the Board for 2017, pointing out the new members. He said pulse farm acres have been stable with a small shift from peas and lentils to more chick peas in the ground. He stated this year there were 167,000 acres compared to 173,000 acres last year due primarily to the abundance of rain this past year. He explained the commission has a variable assessment rate from 1 to 2 %, currently at 1.5%. Chick peas are the largest share of the assessment followed by peas and lentils. He indicated domestic marketing and research being the two largest assessment expenditures.

**Mr. Smith** said the 2016 campaign, "The Year of the Pulse" was very successful with more than 2.4 billion people reached on social media encouraging them to begin the 1/2 cup of pulse a day habit.

In response to a committee question concerning where chick peas are processed, **Mr. Smith** said they are cleaned and bagged here, then sent to Virginia to be processed into hummus. He stated on the export side they have processing plants in Idaho and Washington where they are bagged and cleaned and sent off to international market. He said it would be ideal to have a processing plant here similar to one in North Dakota that runs 24 hours a day grinding yellow peas into flour, separating the protein from the starch. He stated a lot of that product goes into making pet food.

In response to a committee question, **Mr. Smith** said their biggest market was India but India's government is trying to promote local farmers and have placed a high tariff in addition to a sur tax making it impossible to import to them at the present time. He said for now Mexico and Canada are the largest customers outside of the US.

**ADJOURN:** There being no further business to come before the committee. the meeting was adjourned at 2:21 p.m.

---

Representative Boyle  
Chair

---

Joan Majors  
Secretary

AGENDA  
**HOUSE AGRICULTURAL AFFAIRS COMMITTEE**  
**1:30 P.M.**  
**Room EW42**  
**Thursday, February 22, 2018**

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#">H 538</a>	Wolf Depredation	Rep. Judy Boyle
	Water Quality Fund for Agriculture BMP Updates	Roger Batt, Treasure Valley Water Users Association
	Idaho Soil and Water Conservation Commission	Teri Murrison, Administrator, ISWA
	Idaho Association of Conservation Districts	Mike Somerville, Idaho Association of Conservation Districts

***If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Boyle	Rep Burtenshaw	Rep Armstrong
Vice Chairman Dayley	Rep Kerby	Rep Hanks
Rep Bell	Rep Troy	Rep Zito
Rep Miller	Rep Stevenson	Rep Erpelding
Rep VanOrden	Rep Amador	Rep Toone

COMMITTEE SECRETARY

Joan Majors  
Room: EW11  
Phone: 332-1137  
email: [hagri@house.idaho.gov](mailto:hagri@house.idaho.gov)

MINUTES  
**HOUSE AGRICULTURAL AFFAIRS COMMITTEE**

**DATE:** Thursday, February 22, 2018

**TIME:** 1:30 P.M.

**PLACE:** Room EW42

**MEMBERS:** Chairman Boyle, Vice Chairman Dayley, Representatives Bell, Miller, VanOrden, Burtenshaw, Kerby, Troy, Stevenson, Amador, Armstrong, Hanks, Zito, Erpelding, Toone

**ABSENT/  
EXCUSED:** Rep. Boyle

**GUESTS:** Roger Batt, Treasure Valley Water Users Assn; Barry Burnell, Treasure Valley Water Users Assn; Teri Murrison, ISWCA; Dennis Tanikuni, Idaho Farm Bureau; Mike Somerville, Idaho Association of Conservation Districts; Wyatt Prescott, ICA; Brandy Kay, IWGA; Darin Taylor, City of Middleton; Dan Steanson

**Vice Chairman Dayley** called the meeting to order at 1:35 p.m.

**H 538:** **Rep. Dayley** said the bill is to fulfill the original commitment to the Idaho Wolf Depredation Control Board by changing the sunset date from 2019 to 2020.

**Dennis Tanikuni**, Idaho Farm Bureau Federation; **Wyatt Prescott**, Idaho Cattlrmens Association and **Brandy Kay**, Idaho Wool Growers all spoke **in support of H 538**.

**MOTION:** **Rep. Miller** made a motion to send **H 538** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Boyle** will sponsor the bill on the floor.

**Roger Batt**, Treasure Valley Water Users Assn., said the association came last year to the committee and did a presentation of Best Management Practices for Agriculture. He said as a result of that presentation the committee was able to help get funding through DEQ's budget and as they had promised are here to report back on some of the projects they were able to do.

**Dan Steanson**, Sawtooth Law Office, said the challenge for the Treasure Valley area is to significantly reduce sediment and phosphorus to the tributaries in the Boise River. The problem with excessive phosphorous is it stimulates an over abundance of aquatic plant growth. He said the goal for reduction of phosphorous sources from water shed off fields is 73%. He explained in the Boise Valley there is almost 110,000 acres of still flood irrigated land discharging to the Boise tributaries and then into the Boise River. He said these are the acres targeted for treatment, and stated that the cost to convert to non-return flow practices is very significant.

**Barry Burnell**, Water Quality Administrator, said last year appropriation funds were awarded to be used statewide for agriculture and ranching projects. The funds were dedicated to be used on high priority water shed projects. He explained the application process for requesting funds which were reviewed by the Basin Advisory group. The goal was to fund the projects by October and then to begin implementing immediately. He said the date of completion has been extended to June 2019 in order to capture all the dollars appropriated. He listed the 7 projects having made application and reported on the four projects accepted, their goals and status of each project to date.

**Darin Taylor**, Mayor of the City of Middleton, explained the Mill Slough Water Quality Improvement plan. He talked about the different drainage waters coming into the mill slough. He said the first phase included construction of weir structure, installation of automated gated to control water level and removal and reuse of sediment. Future plans include adding small diversion structures, excavation of channels on City Property and adding treatment ponds and wetlands. He said with the completion of phase one, there is a 15% reduction of phosphorus. When the second and third phases are completed they will have more than doubled the reduction of phosphorus to 33%.

**Dan Steenson**, Director of the Lower Boise Water Council, explained they made application to DEQ for funding to be able to take the drain water carrying sediment and apply it to land so the water isn't carrying the sediment into the Boise River. He said they then convert the practice to a non return flow sprinkler project. He said they have identified several projects that should be ready by irrigation season. He concluded by stating there are several projects across the state that could benefit from similar practice.

**Teri Murrison**, Administrator ISWCA said the Idaho Soil and Water Conservation Commission's mission is to facilitate coordinated non-regulatory, voluntary and locally led conservation by federal, state and local governments including Idaho's conservation districts and other partners to conserve, sustain, improve and enhance soil, water, air, plant and animal resources. She stated private lands, forestland, rangeland and cropland are all incredibly important to Idaho and to the United States in general. She said private landowners care for 71% of the lower 48 states, 82% of our wetlands, and 80% of endangered species. In Idaho, about 30% of all land is privately owned. She said conservation the Idaho way is locally led balancing the economic health of communities and natural resources. She said voluntary stewardship projects across the state undertaken by our local state and federal partnership, the Conservation Commission, Idaho's 50 soil and water conservation districts and the Natural Resources Conservation Services all work together to improve water quality, restore streams, rivers, forests, range and croplands. The three core functions of the Commission, she said, are providing financial and technical support to Idaho's 50 locally led conservation districts, providing incentive based and other voluntary conservation programs and services and to educate and inform the public, decision makers, partners and other stakeholders about the value and benefit of good agriculture stewardship.

**Ms. Murrison** said among the challenges facing the commission is the Conservation Reserve Enhancement Program. It is their intent to retire irrigated crop land and reduce consumptive water use. She said their goal has been to enroll 50,000 acres. Producer have been slow to enroll she said, in part due to the cropland rental rates being higher than the enrollment rates at this time. Because of this, they have asked for an increase in rate making them more competitive. Ms. Murrison said more loans were made in the first two quarters of this fiscal year than all of last year.

**Mike Somerville**, member of Idaho Association of Conservation Districts said the projects reported on by **Mayor Taylor** and **Dan Steenson** were made possible through a partnership including the lower Boise River Water Shed Project and the Canyon Soil Conservation District. He said their job is to offer technical assistance in putting the projects together. He said as they build partnerships, everyone has a function. He said it is his job to organize local farmers to be eligible for those types of funds as they become available.

**ADJOURN:** There being no further business to come before the committee, the meeting was adjourned at 2:55 p.m.

---

Representative Dayley  
Chair

---

Joan Majors  
Secretary

AGENDA  
**HOUSE AGRICULTURAL AFFAIRS COMMITTEE**  
1:30 P.M.  
Room EW42  
Monday, February 26, 2018

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
	Wheat Commission	Blaine Jacobson, Executive Director

***If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Boyle	Rep Burtenshaw	Rep Armstrong
Vice Chairman Dayley	Rep Kerby	Rep Hanks
Rep Bell	Rep Troy	Rep Zito
Rep Miller	Rep Stevenson	Rep Erpelding
Rep VanOrden	Rep Amador	Rep Toone

COMMITTEE SECRETARY

Joan Majors  
Room: EW11  
Phone: 332-1137  
email: [hagri@house.idaho.gov](mailto:hagri@house.idaho.gov)

MINUTES  
**HOUSE AGRICULTURAL AFFAIRS COMMITTEE**

**DATE:** Monday, February 26, 2018  
**TIME:** 1:30 P.M.  
**PLACE:** Room EW42  
**MEMBERS:** Chairman Boyle, Vice Chairman Dayley, Representatives Bell, Miller, VanOrden, Burtenshaw, Kerby, Troy, Stevenson, Amador, Armstrong, Hanks, Zito, Erpelding, Toone  
**ABSENT/  
EXCUSED:** Representative(s) VanOrden, Erpelding  
**GUESTS:** Blair Jacobson, Idaho Wheat Commission (Commission); Stacey Satterlee, Idaho Grain Produces Association

**Chairman Boyle** called the meeting to order 1:33 p.m.

**Blaine Jacobson**, Executive Director, Commission, stated the Commission is governed by a board of five wheat producers from different areas of Idaho, all appointed by the Governor. Wheat in Idaho was the second largest crop in Idaho last year, with 1.1 million acres harvested and sales over \$4,155 million. The Commission budget is \$3,183,429, which is allocated to research, market development and grower education. Director Jacobson reviewed the Commission's budget and where the funds were distributed. He advised the last five years of world-wide production of wheat has outpaced consumption with the difference going into inventory which pushes wheat prices down. He said Idaho has an advantage compared to other wheat-growing states and overseas competitors because Idaho has stable production due to two-thirds of its crops being irrigated or coming from the naturally-watered Palouse. Director Jacobson discussed some of the market Idaho is developing through research and the impact of NAFTA and Russian emergence into the wheat market. Director Jacobson emphasized that the river system is essential to exportation of Idaho wheat, and the upcoming generations need to be educated on its importance. He said other challenges to the wheat industry are renewal of trade agreements such as NAFTA and TPP, encouraging wheat growers to develop wheat value niches such as high-fiber wheat, and competition with GMO advantaged crops.

In response to committee questions, **Director Jacobson** replied the Black Sea area is becoming more efficient at growing wheat. He informed the committee that high-fiber wheat has resistance starch which does not change into sugar as fast as other wheat does and is, therefore, good for digestion and health. He stated the Commission is trying to raise grower awareness regarding opportunities that have resulted from research development. Director Jacobson and committee members discussed Wheat Commission funding compared to Potato Commission funding and the feasibility of the Commission and the Barley Commission joining efforts.

**ADJOURN:** There being no further business to come before the committee, the meeting adjourned at 2:12 p.m.

---

Representative Boyle  
Chair

---

Lorrie Byerly  
Secretary

AGENDA  
**HOUSE AGRICULTURAL AFFAIRS COMMITTEE**  
**1:30 P.M.**  
**Room EW42**  
**Wednesday, February 28, 2018**

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
	USDA Wildlife Services Update	Todd Grimm, US Wildlife Services
	Agriculture Research Center	Dr. Michael Parrella, Dean of College of Agriculture
	Return on University of Idaho Investment for Research	Dr. Mark McGuire, Associated Dean, Director of Research Stations
	Extension and 4-H - K-12	Dr. Barbara Petty, Associated Dean

***If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Boyle	Rep Burtenshaw	Rep Armstrong
Vice Chairman Dayley	Rep Kerby	Rep Hanks
Rep Bell	Rep Troy	Rep Zito
Rep Miller	Rep Stevenson	Rep Erpelding
Rep VanOrden	Rep Amador	Rep Toone

COMMITTEE SECRETARY

Joan Majors  
Room: EW11  
Phone: 332-1137  
email: [hagri@house.idaho.gov](mailto:hagri@house.idaho.gov)

MINUTES  
**HOUSE AGRICULTURAL AFFAIRS COMMITTEE**

**DATE:** Wednesday, February 28, 2018

**TIME:** 1:30 P.M.

**PLACE:** Room EW42

**MEMBERS:** Chairman Boyle, Vice Chairman Dayley, Representatives Bell, Miller, VanOrden, Burtenshaw, Kerby, Troy (Goesling), Stevenson, Amador, Armstrong, Hanks, Zito, Erpelding, Toone

**ABSENT/  
EXCUSED:** Representative VanOrden

**GUESTS:** Gretchen Hyde, IRRRC; Brandy Kay, IWGA; Abigail Talboy, Idaho Conservation League; Sean Ellis, Capitol Press

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

**MOTION:** **Rep. Toone** made a motion to approve the minutes of the February 14 and 20, 2018, meetings. **Motion carried by voice vote.**

**Todd Grimm**, US Wildlife Services State Director, explained the areas of responsibility of the US Wildlife Services. He said their mission is to protect the health and value of American agriculture and natural resources. He indicated the Wildlife Services is non-regulatory and has no land management authority or responsibility. He reported about 2/3 of their funding comes from the federal government, with the rest from cooperatives including, state, counties, cities, cattle and wool growers association, airports and industrial companies adding Idaho is low in cooperative support. There are 26 FTE's (full time equivalent) responding in all 44 counties assisting 3,000 property owners. He stated there were 6,700 sheep killed by predators in Idaho in 2016 at an estimated loss of 1.36 million dollars. He said coyotes were responsible for 63% of sheep lost by predators. He reported since 1995, they have completed 2,175 wolf depredation investigations, confirming the death of 750 cattle, 3,200 sheep and 80 dogs. He said they have removed more than 800 wolves. He reported 32 out of 44 counties have wolf depredation. He indicated 3/4 of all cattle wolf depredation happen on private land, most likely because they are more frequently reported. Listing future concerns, he said non migratory geese, and grizzly bears are on the horizon and are being watched closely.

In response to a committee question **Mr. Grimm** said Capture Myopathy in wild animals is caused by extreme exertion, struggle or stress, causing the animals to die of heart failure rather than the outward bite signs seen on the hide.

**Dr. Michael Parrella**, Dean of Agriculture and Life Science, said U of I currently has nine research and extension centers encompassing 4,000 acres across the state with offices in 42 of the 44 counties. He said they have 950 staff members and 240 faculty members of which half work off campus which is a real advantage in such a large state. He said 25% of the faculty is due to retire in the next three years and stressed the importance of recruiting and keeping the best faculty and graduate students they can. He said the three biggest drawbacks to them hiring and keeping the best early career professionals are; aging research and extension centers, antiquated labs for modern agriculture research and out dated information technology. He noted a benefit of local research centers is the availability of faculty to the farmers and growers. If they have a problem there is an expert on hand to address the issue immediately.

**Dr. Parrella** stressed the importance of molecular based tools for identification and said they are being used at an increasing rate, therefore modern 'clean' and appropriately equipped labs are required and critical for research perspective. He said in order to solve problems in agriculture today we need an entomologist working with a soil scientist working with a plant breeder all working across disciplines. He explained the ongoing effort to modernize the R & E centers citing examples of the new **Nancy M Cummings** Research and Extension Education center and the new temporary housing in Aberdeen for visiting scientist and graduate students. He emphasized the partnership between the University, Legislature and Industry, all who are working together to move the progress forward.

**Dr. Mark Mcquire**, Associated Dean of Research for U of I, explained Economic Modeling Specialists International (EMSI), was hired by the University to conduct a study of the economic impact of the Idaho Agriculture experiment stations. He said they were to focus on Aberdeen, Kimberly and Parma R & E centers which have similar missions in regards to addressing some of the major crops in the state. He reported the results showed the Idaho Agriculture Experiment Stations (IAES) attract additional dollars, giving an example associated with the stripped rust wheat breakout of 2011. He said because of the activities of the facilities based in the R & E centers, there was rapid response saving as estimated 200 million dollars for the wheat industry. He stated it was determined for every dollar invested by the state, there was a \$1.40 return.

**Dr. Barbara Petty**, Associated Dean, U of I said the extension program has been in existence for more than 100 years helping the people of Idaho navigate a better life by building a thriving, prosperous Idaho. She explained in the K-12 education program, they partner with traditional schools, charter schools, and home schools working toward a common goal of educating our youth. She said they have formal and informal partnerships with school districts, specific schools, and individual classrooms. She stated for the afternoon program, they partner with 21st Learning Center noting that 4-H is one of the top after school programs. Of the blended programs, the most popular one is the 4-H robotics program which is available to all youth, all ages, conducted in the schools in partnership with other youth providers. She said the youth involved in 4-H have a go on rate of 62% as compared to the overall go on rate in Idaho of 42%.

In response to a committee question, **Dr. Petty** explained their focus is centered around five areas; agriculture community development, family consumer science, natural resources and 4-H and youth development. She said they realize if they are spread too thin, they would be less effective over all.

**ADJOURN:** There being no further business to come before the committee, the meeting was adjourned at 3:06 p.m.

---

Representative Boyle  
Chair

---

Joan Majors  
Secretary

AGENDA  
**HOUSE AGRICULTURAL AFFAIRS COMMITTEE**  
1:30 pm or UPON ADJOURNMENT  
Room EW42  
Tuesday, March 06, 2018

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#">H 658</a>	United Dairymen of Idaho Property, Trespassing	Karianne Fallow, CEO Rep. Boyle

***If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Boyle	Rep Burtenshaw	Rep Armstrong
Vice Chairman Dayley	Rep Kerby	Rep Hanks
Rep Bell	Rep Troy(Goesling)	Rep Zito
Rep Miller	Rep Stevenson	Rep Erpelding
Rep VanOrden	Rep Amador	Rep Toone

COMMITTEE SECRETARY

Joan Majors  
Room: EW11  
Phone: 332-1137  
email: [hagri@house.idaho.gov](mailto:hagri@house.idaho.gov)

MINUTES  
**HOUSE AGRICULTURAL AFFAIRS COMMITTEE**

**DATE:** Tuesday, March 06, 2018

**TIME:** 1:30 p.m. or UPON ADJOURNMENT

**PLACE:** Room EW42

**MEMBERS:** Chairman Boyle, Vice Chairman Dayley, Representatives Bell, Miller, VanOrden, Burtenshaw, Kerby, Troy, Stevenson, Amador, Armstrong, Hanks, Zito, Erpelding, Toone

**ABSENT/  
EXCUSED:** None

**GUESTS:** The sign-in sheet will be retained with the minutes in the committee secretary's office until the end of the session. Following session, the sign-in sheet will be filed with the minutes in the Legislative Services Library.

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

**MOTION:** **Rep. Toone** made a motion to approve the minutes of the February 22, and 26, 2018 meetings. **Motion carried by voice vote.**

**Karianne Fallow**, CEO of United Dairymen, stated the vision of United Dairymen is to create a world where farmers and the dairy industry proper, together build healthy communities around the globe. She said there are about 580,000 milk cows with roughly 490 dairies in Idaho. She stated when she became CEO in 2013, there were 642 dairies in operation. She explained the number of cows has not decreased but the dairies have consolidated. She said they produce 15 billion gallons of milk making Idaho number one per capita in production in the nation. Ms. Fallow explained the Health and Wellness team goal to position the dairy industry to be an influential driver in health and nutrition related to initiatives in the State of Idaho to ensure and encourage dairy in the diet by focusing on school nutrition. She explained the school channel is very important because it increases demand which in turn ensures the farmers have long term prosperity. She explained the United Dairyman have joined with Dairy West, a new USDA compliant, non-profit qualified program, representing dairy farms and communities through out the west. Dairy West maintains partnership agreements with dairy commissions in western states who choose to join, providing a vehicle for western states to work together for more consistency and to reduce duplication. Their milk flows across state borders everyday. She said the western states share global and domestic consumers and markets. She stated their farmers success is dependent on their regional processors. If they can help the processors be better at innovating new products going to market, they all win. She said raising regional demand has the potential to increase milk checks and western farmers deserve more influence on the national level. She said they will not lose the great advantage Dairymen of Idaho has provided to the communities but sometimes they will see that represented as Dairymen of Idaho and other times as Dairy West.

**Chairman Boyle** turned the gavel over to **Vice Chairman Dayley**.

**H 658:**

**Rep. Boyle** said the new version, **H 658** was re-written because of the many concerns expressed by people who were confused as to what the current code states right now including some law enforcement officers. She explained one of the reasons for the re-write was to consolidate and simplify the language to make it easier to read and understand. She pointed out in the current code it is a felony for a first time conviction if there is property damage of \$1,000 or more as well as a Fish and Game felony for a third violation. She said that is something the new bill will change if the committee decides to approve it.

**Mr. Gary Allen**, Attorney, Idaho Property Rights Coalition, said the current law has a lot of problems and is confusing and inconsistent on a number of levels. He stated under current law there is no 660 foot marking requirement. He said the orange marking and painting is an alternative but in current law a no trespassing sign by it's self is sufficient to create liability for trespassing. Mr. Allen described several circumstances already in code which are considered trespassing, including going onto fenced property, unharvested cultivated crops or driving a motor vehicle through cultivated crops. Mr. Allen said Fish and Game code reads that someone with a hunting dog on land or on cultivated land properly posted with a no trespassing sign is considered to be trespassing with no other requirement. He stated exclusions to the trespass law go further than any other state law they could find. These exclusions state that anyone who has an existing right to enter a property is excluded from the trespass law, and he cited several examples. Mr. Allen addressed the penalties, clarifying the difference between a simple trespass without significant damage to property to a trespass with more than \$1,000 in damages. He spoke concerning juveniles who trespass, stating they will fall under the same juvenile law as with any other crime.

In response to a committee question in regards to drones or crop dusters flying over private property, **Mr. Allen** said this is already addressed in current Idaho law.

Responding to a committee question, **Mr. Allen** explained current laws constitutionally suspect are outlining certain types of damage without making it a law of general applicability and several of these laws have no intent requirement.

Those speaking **in support** of **H 658** were: **Fred Birnbaum**, Idaho Freedom Foundation; **David Claiborne**, ISATVA; **Neil Colwell**, Avista Corp; stating Idaho has available every type of outdoor experience within public lands, the current law is not a deterrent to trespassers, and recognizing the importance of supporting private property owners by giving more responsibility to the sportsman and hunters.

**Michael Gibson**, Trout Unlimited, said sportsman were not consulted or asked their opinion on this legislation. He said his organization does not support removing a long standing and recognized way of marking private property. He stated they would support an increase in fines if the land owners had equal responsibility to mark their property.

**Russ Hendricks**, Idaho Farm Bureau, stated in the committee packet today is a list of the Idaho Property Rights Coalition which includes almost every agricultural group he is aware of in the state who all stand in support of this bill as well as many other land owners and organizations. He said his members are willing to write permission slips in order to have some certainty, not only for the land owner but also for the person who is there for recreation. He said those who have been involved in the redrafting of this bill have sat down with the groups discussed here and listened to their concerns stating that is why this bill specifically points out posting for the fence lines between public and private lands.

Those speaking in opposition to H 658 were; **Kahle Becker**, self; **Kent Roberts**, self; **Mike Stone**, Ada County Resident; stating there was not enough collaboration among interested parties. They are concerned with the new posting requirements not being sufficient to advert innocent trespassing and concerned with conflicting law.

**Vice Chairman Dayley** called a recess of the committee at 3:01 p.m.

**Vice Chairman Dayley** reconvened the meeting at 4:43 p.m.

**Russ Hendricks** was called upon to answer a committee question concerning the current Idaho posting requirements being stricter than the surrounding states. He stated Oregon, for an example, has one of the least prescriptive requirements for marking private property.

**Brian Brooks**, Idaho Wildlife Federation, stated such a broad bill deserved a wide collaboration. He said they did meet to share their concerns but never heard back about the input they gave. He said many hunters and sportsman are also land owners and want to help solve the problem. He explained one of the problems with this bill is the one-way fee shifting provision, awarding the plaintiff land owner investigative fees and damages if the defendant is found guilty of civil trespass, but if the defendant should be found not guilty he or she is not awarded attorney fees from the plaintiff. They are stuck with the cost of defending themselves.

**Sharon Keifer**, Deputy, Idaho Fish and Game, said she has not had an opportunity to discuss this bill with the Fish and Game Commission so they offer no position. She stated the emphases under the new bill does seem to give the land owners more responsibility in proper posting so a reasonable person would know where property lines are and would not trespass. She said the land owner posting would directly influence officers in credibly determining if a trespass had occurred and were able to sufficiently present evidence to a prosecutor. She stated they would change their message from "Ask First" to "Get Written Permission First".

**Michael Kane**, representing the Sheriff's Association, stated there were some good things in the bill because of collaboration. He said they had good discussion and clarified several issues but at the end of the day, decided to agree to disagree on some concerns from the Sheriffs Association. He said primarily they have concerns with not posting in certain areas and certain fence lines. He said bigger issue is over criminalizing someone for just entering the property, whereas the law as currently written states if you enter and do something or damage something it is a criminal offense.

**Benn Brocksome**, Idaho Sportsmen Alliance, said he apologized for some of the demeanor happening today in committee. He stated it appears there is clear unity among the Ag industry but a division in the sportsman industry as passions got the better of some today. He reminded the committee there has been generations of good relationships between the Ag industry and the sportsman, His organization still has concerns and would have liked more time to come to a compromise. He said they have worked to build bridges with the landowners and are committed to working on this bill going forward if given the opportunity. He said they are not opposed to the increase in fines.

**Forrest Goodrum**, Fish and Game League of Ada County, a conservation organization, stated they're concerned with what is considered fair warning and what is punishment. He said in Idaho the general rule is if attorney fees are to be awarded, they are awarded to the prevailing party in almost all incidences. He said this bill makes an exception to the rule and he suggested the general rule should be followed. He said it appears civil trespass happens if someone goes on to private property even though it is not properly posted, creating an unintended consequence that needs to be fixed in the new bill. He spoke to the concept of fair warning saying it is important to give a person the opportunity to do the right thing.

**Braden Jensen**, Idaho Farm Bureau, explained he wanted to bring up an aspect of trespassing not yet addressed. He spoke of an onion farmer in Canyon County who is required to do Primus Audits on his crop in order to secure contracts. He said with the implementation of the Food and Safety Modernization Act in January of this year, the requirements are far more stringent for those who grow food in their fields. He said trespass is of great concern. He said no matter how many signs they have posted on canal roadways, people have the belief those roadways are a public right of way. He gave an example of two people riding horses down the canal roadway with three dogs who were running out into the fields. He said if the farmer had onions planted in the field at the time and the private independent field inspector happen to show up that particular day and saw the dogs in the onion field, he could have lost his contract costing him tens, if not hundreds of thousands of dollars.

**Gary Allen**, in closing remarks clarified in the civil section of the trespass law. The land owner brings the law suit and if they prevail they recover damages, whereas in a criminal suit involving law enforcement, the trespasser is prosecuted and they pay their fine to the government or go to jail. He stated Common Law is court made law established over centuries, just as the law of trespass has been developed by the courts for hundreds of years. Definitions such as entering and remaining have been adopted from common law and remain in the current statutes. He explained 660 foot markings are clearly not in current law, they are burdensome to landowners and do not deter trespassing. He stated the culture now is putting the burden on landowners rather than sportsman or recreationalist to know where they are. He said the over riding constitutional right is property rights. He said they worked with the AG office and the prosecutors office to address and resolve their issues. He reported landowners are in agreement the current law is not working and stand behind this bill.

**Rep. Boyle**, in closing, stated she was the writer and sponsor of the Constitutional Amendment for the right to hunt, fish and trap in Idaho because she felt it was important to have those rights enshrine in our Constitution so those rights were not taken away, but also included in the amendment, it states no one is to trespass on private lands. She said she agrees many people are not able to correctly read a map but explained if someone is a hunter, they are expected to follow Fish and Games' hunting regulations and they have no forgiveness if they are found hunting in a closed unit. She said hunters are expected to know where they are. She stated the permission slip is vital to protect both parties. The sportsman are guests on private lands and should show respect for the land owner. She stated the right to own property is in both the state and the US Constitution and she believes they needs to protect that right.

**ORIGINAL  
MOTION:**

**Rep. Miller** made a motion to send **H 658** to the floor with a **DO PASS** recommendation.

**SUBSTITUTE MOTION:**

**Rep. Armstrong** made a substitute motion to **HOLD H 658** in committee. He stated he did not disagree with the need to strengthen legislation on trespassing, but is concerned it was rushed to completion without collaboration from the sportsman and outdoorsman. He proposed the drafters keep working on it until it is perfect rather than push through something that will need to be fixed in a few years.

In support of the original motion, **Rep. Bell** stated they have to be careful not to let the perfect be an enemy of the good. She said this is not perfect but it is good. It will not go into effect until July, giving some time to see if something needs to be reworked by next session.

In support of the substitute motion, **Rep. Toone** stated she would like to see them hold the bill and go to the next level and make it even better by including more of the key players.

**VOTE ON SUBSTITUTE MOTION:**

**Vice Chairman Dayley** requested a roll call vote on the substitute motion to **HOLD H 658** in committee. **Motion failed by a vote of 3 AYE, 11 NAY and 1 Absent/Excused. Voting in favor of the motion: Reps. Armstrong, Erpelding, Toone. Voting in opposition to the motion: Reps. Dayley, Bell, Miller, VanOrden, Burtenshaw, Kerby, Troy, Stevenson, Hanks, Zito, Boyle. Rep. Amador was absent/excused.**

**VOTE ON ORIGINAL MOTION:**

**Vice Chairman Dayley** requested a voice vote on the original motion to send **H 658** to the floor with a **DO PASS** recommendation. **Motion carried by a vote of 11 AYE, 3 NAY, 1 Absent/ Excused. Voting in favor of the motion: Reps. Dayley, Bell, Miller, VanOrden, Burtenshaw, Kerby, Troy, Stevenson, Hanks, Zito, Boyle. Voting in opposition to the motion: Reps. Armstrong, Erpelding, Toone. Rep. Amador was absent/ excused. Rep. Boyle will sponsor the bill on the floor.**

**ADJOURN:**

There being no further business to come before the committee, the meeting was adjourned at 6:34 p.m.

---

Representative Dayley  
Vice Chair

---

Joan Majors  
Secretary

**AMENDED AGENDA #2**  
**HOUSE AGRICULTURAL AFFAIRS COMMITTEE**  
**1:30 pm or UPON ADJOURNMENT**  
**Room EW42**  
**Thursday, March 08, 2018**

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#">S 1207aa</a>	Seed Indemnity Fund Sage Grouse	Sen. Rice Dustin Miller, Administrator, Governor's Office of Species Conservation

***If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Boyle	Rep Burtenshaw	Rep Armstrong
Vice Chairman Dayley	Rep Kerby	Rep Hanks
Rep Bell	Rep Troy	Rep Zito
Rep Miller	Rep Stevenson	Rep Erpelding
Rep VanOrden	Rep Amador	Rep Toone

COMMITTEE SECRETARY

Joan Majors  
Room: EW11  
Phone: 332-1137  
email: [hagri@house.idaho.gov](mailto:hagri@house.idaho.gov)

MINUTES  
**HOUSE AGRICULTURAL AFFAIRS COMMITTEE**

**DATE:** Thursday, March 08, 2018

**TIME:** 1:30 pm or UPON ADJOURNMENT

**PLACE:** Room EW42

**MEMBERS:** Chairman Boyle, Vice Chairman Dayley, Representatives Bell, Miller, VanOrden, Burtenshaw, Kerby, Troy, Stevenson, Amador, Armstrong, Hanks, Zito, Erpelding, Toone

**ABSENT/  
EXCUSED:** Representatives Bell, Troy and Armstrong

**GUESTS:** Richard Durrant, SIF; Dustin Miller, OSC; Joshua Uriarte, OSC  
**Chairman Boyle** called the meeting to order at 1:34 p.m.

**S 1207aa:** **Sen. Rice**, District 10, explained this legislation adds a requirement, the review of net worth, be included in the licensing of seed buyers. The bill also clarifies the criteria under which the licensee will be approved or renewal denied.  
In response to a committee question, **Sen. Rice** clarified it is the seed producers who pay into the seed indemnity fund.

**MOTION:** **Rep. Dayley** made a motion to send **S 1207aa** to the floor with a **DO PASS** recommendation.  
**Richard Durrant**, Chairman of the Seed Indemnity Fund, stated after the requested changes were made, they now stand **in support** of **S 1207aa**.

**VOTE ON  
MOTION:** **Chairman Boyle** called for a vote on the motion to send **S 1207aa** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Rep. Dayley** will sponsor the bill on the floor.  
**Dustin Miller**, Administrator, Governor's Office of Species Conservation, said in May of 2015, the state agencies charged with implementing the Governor's Strategy, established the Sage Grouse Action Team along with federal agency partners from the Fish and Wildlife Service, Bureau of Land Management, National Resources and Conservation Service and later the Forest Service. He said the teams work to plan, prioritize and fund actions in accordance with the Governor's Strategy. He said invasive species and wildfire continue to be the primary threats impacting sage grouse and their habitat. He stated there is typically on BLM lands in southern Idaho over 300,000 acres burned each summer. He said there are currently 9 Rangeland Fire Protection Associations (RFPA) with 330 members, protecting over 9 million acres. He stated improper grazing is a secondary threat and on BLM lands, Idaho Standards for Rangeland Health must be met or progress made towards meeting those standards. He said the state has been successful in leveraging more than \$2.00 for every single general fund dollar spent in FY17.

**ADJOURN:** There being no further business to come before the committee, the meeting was adjourned at 2:28 p.m.

---

Representative Boyle  
Chair

---

Joan Majors  
Secretary

AGENDA  
**HOUSE AGRICULTURAL AFFAIRS COMMITTEE**  
**1:30 pm or UPON ADJOURNMENT**  
**Room EW42**  
**Wednesday, March 14, 2018**

DOCKET NO.	DESCRIPTION	PRESENTER
	Idaho Apple/Cherry Commission	Candi Fitch, Executive Director
<a href="#"><u>11-0201-1701</u></a>	Idaho State Brand Board	Larry Hayhurst, Brand Board Inspector

***If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Boyle	Rep Burtenshaw	Rep Armstrong
Vice Chairman Dayley	Rep Kerby	Rep Hanks
Rep Bell	Rep Troy	Rep Zito
Rep Miller	Rep Stevenson	Rep Erpelding
Rep VanOrden	Rep Amador	Rep Toone

COMMITTEE SECRETARY

Joan Majors  
Room: EW11  
Phone: 332-1137  
email: [hagri@house.idaho.gov](mailto:hagri@house.idaho.gov)

MINUTES  
**HOUSE AGRICULTURAL AFFAIRS COMMITTEE**

**DATE:** Wednesday, March 14, 2018  
**TIME:** 1:30 pm or UPON ADJOURNMENT  
**PLACE:** Room EW42  
**MEMBERS:** Chairman Boyle, Vice Chairman Dayley, Representatives Bell, Miller, VanOrden, Burtenshaw, Kerby, Troy, Stevenson, Amador, Armstrong, Hanks, Zito, Erpelding, Toone

**ABSENT/  
EXCUSED:** None

**GUESTS:** Larry A. Hayhurst, Idaho Brand Board/ISP; Cody Burelile, Idaho Brand Board; Tucker Shaw, ICA; Dennis Stevenson, Rules Coordinator; Kate Haas, Wendell Buying Station; Bob Naerebout, Idaho Dairyman's Assoc; Wyatt Prescott, ICA; Elizabeth Criner, J.R. Simplot Company

**Chairman Boyle** called the meeting to order at 1:36 p.m.

**MOTION:** **Rep. Kerby** made a motion to approve the minutes from the February 28, 2018, meeting. **Motion carried by voice vote.**

**Candi Fitch**, Executive Director of Idaho Apple Commission, explained the winter of 2017 impacted the apple industry resulting in smaller size apples. She said because of this, Idaho had an average size crop and the market was okay. She said in Idaho there are apple blocks continuing to be taken out but new ones put in helping to maintain the current volume of about 1.5 million bushels. With the latest round of cold weather, she stated, the crop seems to be on track with where it was 2 years ago. She explained the grant funding used for in-store demos, radio advertising, billboards, promotional banners and social media advertising. She gave examples of how the commission had used those dollars in each of the mentioned areas of advertising.

**Ms. Fitch**, Executive Director of Idaho Cherry Commission, reported the Idaho Cherry season went well in 2017 with the shippers able to market their crop at a reasonable price. She said because of the extreme cold temperatures in 2017, some areas were short in production this year. She said a 2015 grant to create awareness of Idaho Cherries was used to hold in-store promotions at various Albertson's and Wal Mart stores the last week of June and first week of July.

Reporting on the Idaho-Eastern Oregon Onion Committee, **Ms. Fitch** said the onions grown in Idaho and Eastern Oregon are grown under Federal Marketing Order #958, which maintains a minimum size and grade standard that exceeds USDA standards. She stated during their shipping season from August to late April or early May, they shipped approximately one billion pounds of onions making Idaho one of the largest onion shippers in the US.

**Ms. Fitch**, reporting on the Idaho-Oregon Fruit and Vegetable Association, said they provide an effective avenue for its members to collaborate and work collectively on instrumental issues pertinent to the agricultural industry of the area. She said with this organization they are able to get more involved with issues. She explained the two issues dealt with this year were the electronic logging devices and transportation issues with trucking and rails.

**Chairman Boyle** turned the gavel to **Vice Chairman Dayley**.

**DOCKET NO.  
11-0201-1701:**

**Larry Hayhurst**, Brand Board Inspector, explained the funds needed to perform the Board's regulatory functions and to meet the Governor's recommended budget for FY2017 were inadequate. The Brand Board adopted the temporary rule on October 2, 2017, increasing cattle and horse brand inspection fees to make up this shortfall. He said the Brand Board did everything right in that they held the meeting in May where the DFM approved the Administrative Rule Request which was submitted to the Office of Administrative Rules where it was to be printed in the June Administrative Bulletin. However, they neglected to submit a second document from the Brand Board via the State Police. He said they were then instructed to write a letter to every person who over paid a brand inspection fee from July 1, 2017 through October 1, 2017. The letter was to explain the budget issues and why the temporary rule did not make it into the Administrative Bulletin. He said a refund was also offered through a rigorous advertising campaign, approved by the governor to serve as an appropriate notification of the oversight and the refund option. He stated in the 27 years he has been the Brand Board Inspector, they have never done formal Negotiated Rule making, rather always have done informal rule making. He stated they did not receive any negative feedback from July 1, to October 1, 2017 about the initial fee increase, however after the refund issue came up they received 2 petitions on November 14, 2017 requesting a public hearing which was held on February 15, 2018. He said it should be noted every move the Brand Board made was either recommended or pre-approved by the BFM, the office of Administrative Rules or the Governor's Office.

**MOTION:**

**Rep. Stevenson** made a motion to reject **Docket No. 11-0201-1701**.

**Dennis Stevenson**, Rules Coordinator, explained the consequences of either rejecting or approving the rule before them, clarifying committee members' questions.

**Tucker Shaw**, President of Idaho Cattlemen Association, and **Bob Naerebout**, Idaho Dairymen Association, spoke **in support** of approving the rule stating the Brand Boards' services are essential to their industry.

**Kate Haas**, Wendell Buying Station, said they stand **in opposition** to the rule and request the committee reject it. She said they would very much appreciate the opportunity to be part of the Negotiated Rule making process and for their voice to be heard at the table.

**Vice Chairman Dayley** called a recess of the committee at 2:29 p.m.

**Vice Chairman Dayley** reconvened the meeting at 3:01 p.m.

**Mr. Hayhurst**, in response to a committee question, said they were not able to send every individual a letter explaining the refund, but did send one to all accounts and to individuals they had addresses for. He also clarified, the refund was not optional.

**SUBSTITUTE  
MOTION:**

**Rep. Bell** made a substitute motion to approve **Docket No. 11-0201-1701**. Speaking **in support** of the Substitute Motion, she said they all have learned something from this process and she felt there would be no problems in the future from this Board.

**Rep. Stevenson** speaking to the original motion, said she made the motion to reject the temporary rule because as a pilot, she had been taught the need to follow the checklist. She said the checklist in the rule making process was not followed.

In response to a committee question, **Brad Hunt**, Office of Administrative Rules, stated the Brand Board had not done anything illegal. Everything is in line to move forward. He explained Negotiated Rule making happens on the front end where the rule is vetted and interested parties have a voice. Once the proposed rule is published in the bulletin, the public comments period or requests for a public hearing begins.

**Rep. Boyle** said her reason for supporting the rejection of the rule is because there is now a Constitutional Amendment. She reminded the committee, they have a responsibility to watch and make sure the process is followed. She said Negotiated Rule making is vital to the process. She said the Brand Board had two petitions for hearings in November but did not hold a hearing until February at the request of the Vice-Chairman and herself.

**Vice Chairman Dayley** requested a roll call vote on the substitute motion to approve **Docket No. 11-0201-1701. Motion carried by a vote of 8 AYE and 7 NAY. Voting in favor of the motion: Rep. Bell, Burtenshaw, Kerby, Troy, Amador, Armstrong, Erpelding and Toone. Voting in opposition to the motion: Reps. Dayley, Miller, VanOrden, Stevenson, Hanks, Zito, and Boyle.**

**ADJOURN:** There being no further business to come before the committee, the meeting was adjourned at 3:46 p.m.

---

Representative Dayley  
Chair

---

Joan Majors  
Secretary

AGENDA  
**HOUSE AGRICULTURAL AFFAIRS COMMITTEE**  
1:30 pm or Upon Adjournment  
Room EW42  
Tuesday, March 20, 2018

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
	ISDA Range Program	Brooke Jacobson, Range Program Manager
	U of I Range Station Program	Karen Launchbaugh, Director of the U of I Rangeland Center

The minutes of the March 20, 2018 meeting have been read and approved by a majority of the Agricultural Affairs Committee.

---

Rep. Judy Boyle, Chairman

---

Date

***If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Boyle      Rep Burtenshaw  
Vice Chairman Dayley      Rep Kerby  
Rep Bell      Rep Troy  
Rep Miller      Rep Stevenson  
Rep VanOrden      Rep Amador

Rep Armstrong  
Rep Hanks  
Rep Zito  
Rep Erpelding  
Rep Toone

COMMITTEE SECRETARY

Joan Majors  
Room: EW11  
Phone: 332-1137  
email: [hagri@house.idaho.gov](mailto:hagri@house.idaho.gov)

MINUTES  
**HOUSE AGRICULTURAL AFFAIRS COMMITTEE**

**DATE:** Tuesday, March 20, 2018

**TIME:** 1:30 pm or Upon Adjournment

**PLACE:** Room EW42

**MEMBERS:** Chairman Boyle, Vice Chairman Dayley, Representatives Bell, Miller, VanOrden, Burtenshaw, Kerby, Troy, Stevenson, Amador, Armstrong, Hanks, Zito, Erpelding, Toone

**ABSENT/  
EXCUSED:** Rep. Bell, Armstrong

**GUESTS:** None

**Chairman Boyle** called the meeting to order at 1:33 p.m.

**MOTION:** **Rep. Kerby** made a motion to approve the minutes of the March 6, 8 and 14, 2018, meetings. **Motion carried by voice vote.**

**Chairman Boyle** recognized **Caleb Pirc** who has served as the Agricultural Affairs Committee Page and thanked him for his service.

**Chairman Boyle** and the Agricultural Affairs Committee thanked Secretary, **Joan Majors** for her work in the committee this session.

**Brooke Jacobson**, Range Program Manager, said the administration of a Range Program is a legislative mandate duty of the Idaho State Department of Agriculture's (ISDA) Director to administer a range program and provide support, coordination and expertise to Idaho rangeland livestock producers and land and wildlife management agencies for the planning and management of vegetation, grazing permits and other rangeland resources that are of importance to the livestock industry. She said 53.8% of Idaho land cover is rangeland which includes public and private lands.

**Ms. Jacobson** said because of the multiple ownerships and resources on public lands, the range program coordinates with multiple public industry partners including the Idaho Department of Fish and Game, Idaho Department of Lands, the University of Idaho and the Idaho Rangeland Resources Commission. She stated they also work with organizations such as the Idaho Cattle Association and Idaho Wool Growers Association to respond to the needs of the livestock industry.

ISDA's monitoring program was developed, **Ms. Jacobson** said, due to the need for collaborative monitoring planning and standardized collection of rangeland health data. Their goal is the utilization of technically sound monitoring methods and credible data for defensible, scientifically-based grazing management decisions. She stated the future for Public Land grazing must include collaborative, proactive engagement in public land management. She said the ISDA's Range Program strives to provide producers and agencies with the tools to accomplish this.

**Karen Launchbaugh**, Director of the U of I Rangeland Center, stated the mission of the Rangeland Center is to empower researchers and educators at the University of Idaho who strive to create insight and foster understanding for the stewardship and management of rangelands. Their innovative design promotes active partnerships with individuals, organizations and communities who work and live on rangelands. She explained Rangelands cover nearly half of Idaho and provide many goods and services including livestock forage, wildlife habitat, water, and outdoor recreation. She said the economy of Idaho depends heavily on rangelands as 65% of the total land area of Idaho is grazed by domestic cattle and sheep that support rural communities and agricultural enterprises. She explained the five areas their work focuses on as fire/fuel/invasive plants and restoration, rangeland uses, rangeland wildlife, water shed function and climate change. She explained the educational events, monitoring events and workshops offered through the Rangeland Center for hundreds of land managers throughout 2017. She said the partnership between The Nature Conservancy, the Wood River Land Trust and the University of Idaho guides education, research and management of the Rock Creek Ranch near Bellevue has hosted more than a dozen field tours and workshops for those who want to learn more about rangelands.

**ADJOURN:** There being no further business to come before the committee, the meeting was adjourned at 2:21 p.m.

---

Representative Boyle  
Chair

---

Joan Majors  
Secretary

AGENDA  
**HOUSE AGRICULTURAL AFFAIRS COMMITTEE**  
Upon Recess of the Floor  
Room EW42  
Wednesday, March 21, 2018

SUBJECT	DESCRIPTION	PRESENTER
<a href="#">H658 aaS</a>	Property Rights Amendments	Rep. Boyle

The minutes of the March 21, 2018 meeting have been read and approved by a majority of the Agricultural Affairs Committee.

---

Rep. Steve Miller, Chairman

---

Date

***If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Boyle            Rep Burtenshaw  
Vice Chairman Dayley    Rep Kerby  
Rep Bell                    Rep Troy  
Rep Miller                 Rep Stevenson  
Rep VanOrden             Rep Amador

Rep Armstrong  
Rep Hanks  
Rep Zito  
Rep Erpelding  
Rep Toone

COMMITTEE SECRETARY

Joan Majors  
Room: EW11  
Phone: 332-1137  
email: [hagri@house.idaho.gov](mailto:hagri@house.idaho.gov)

MINUTES  
**HOUSE AGRICULTURAL AFFAIRS COMMITTEE**

**DATE:** Wednesday, March 21, 2018  
**TIME:** Upon Recess of the Floor  
**PLACE:** Room EW42  
**MEMBERS:** Chairman Boyle, Vice Chairman Dayley, Representatives Bell, Miller, VanOrden, Burtenshaw, Kerby, Troy, Stevenson, Amador, Armstrong, Hanks, Zito, Erpelding, Toone

**ABSENT/  
EXCUSED:** Rep. Armstrong

**GUESTS:** None

**Chairman Boyle** called the meeting to order at 12:26 p.m.

**Chairman Boyle** turned the gavel over to **Rep. Miller**.

**H 658aaS:** **Rep. Boyle** explained the amendments made in the Senate to **H 658aaS**. She said the changes clarify oral permission, define "remains", and adds cost must be reasonable for investigations as approved by the court. She said changes allow a defendant to get fees when an action is brought without foundation and adds under criminal trespass on a first time offense, changes from a misdemeanor to an infraction reducing the fine to \$300.00 without damages. She said current code is restored to allow law enforcement the ability to site someone who refuses to depart after having been asked including barring that person from the property for up to one year. She noted the restrictions relating to trespass will be stated in all hunting and fishing proclamations issued by the Fish and Game Department.

**MOTION:** **Rep. Dayley** made a motion to concur with the amendments made in the Senate to **H 658aaS**. **Motion carried by voice vote. Reps. Erpelding and Toone requested to be recorded as voting NAY. Rep Boyle** will sponsor the bill on the floor.

**Rep. Miller** turned the gavel over to **Chairman Boyle**.

**ADJOURN:** There being no further business to come before the committee, the meeting was adjourned at 12:44 p.m.

---

Representative Miller  
Chair

---

Joan Majors  
Secretary