

# Senate Agricultural Affairs Committee

Minutes  
2005



MINUTES  
**SENATE AGRICULTURAL AFFAIRS COMMITTEE**

**DATE** January 13, 2005

**TIME** 8:00 AM

**PLACE** Room: # 437

**MEMBERS** Chairman Williams, Vice Chairman Gannon, Senators Burtenshaw, Noble, Coiner, Corder, Broadsword, Stennett, Kelly

**ABSENT/  
EXCUSED** None

**CALL TO  
ORDER** The meeting was called to order at 8:00 AM by Chairman Williams.

**INTRODUCTION** As this was the first committee meeting of the Legislative Session, **Senator Williams** welcomed the returning Agricultural Affairs committee members, and new Agricultural committee members. Nicole Polatis from Pingree, Idaho will serve for the first half of the 2005 session. Kristen Weitz, from Caldwell, Idaho who will serve as the new committee secretary.

**GUESTS** **Chairman Williams** extended his welcome to Dr. Clarence Siroky, Idaho Department of Agriculture, Division of Animal Industries; Administrator. Dr. James England, University of Idaho Caine Teaching Center; Professor. Dr. Debra Lawrence, Idaho Department of Agriculture, Division of Animal Industries; Animal I.D. Coordinator. and Julie Morrison, Northwest Pilot Project Coordinator

**COMMITTEE  
BUSINESS** **Senator Williams**, Chairman, named subcommittees to review the Committee Rules.  
After subcommittee review, you will then report back to Senator Gannon with your recommendations. Assignments are as follows:

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| <b>Pages: 3 - 33</b>   | Yellow Pending Rules Section<br>Starting with Docket # 02-0104-0401<br>Ending with Docket # 02-0303-0401 |
| <b>Senator Noble</b><br><b>Senator Broadsword</b><br><b>Senator Williams, Chairman</b> |  |
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| <b>Pages: 34-83</b>  | Yellow Pending Rules Section<br>Starting with Docket # 02-0403-0401<br>Ending with Docket # 02-0419-0401 |
| <b>Senator Gannon</b><br><b>Senator Coiner</b><br><b>Senator Stennett</b>              |  |
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| <b>Pages: 84-136</b>   | Yellow Pending Rules Section<br>Starting with Docket # 02-0425-0401<br>Ending with Docket # 02-0616-0401 |
| <b>Senator Burtenshaw</b><br><b>Senator Corder</b><br><b>Senator Kelly</b>             |  |

**Pages: 1-12**  
**Senator Gannon**

Green Pending Fees Rules  
Starting with Docket #'s 02-0601-0401  
Ending with Docket #'s 02-0616-0401

**Pages 1- 4**  
**Senator Gannon**

Salmon Temporary Rules  
Docket # 11-0201-0501

**PRESENTATION**

Dr. Siroky, Idaho Department of Agriculture, Division of Animal Industries; Administrator, presented to the Agricultural Affairs Committee, a power point presentation on the National Animal Identification System. The presentation was a progress report on the animal identification project. Dr. Siroky anticipates the project will get producers and people in agriculture aware of identification partners and the identification process. Dr. Siroky's progress report covered the following points:

1. The National Animal Identification System: Refers to the premises identification which is a unique seven digit alpha-numeric designation for a geographical location where animals are located and/or commingled.
2. Animal Identification Number: Refers to a unique 15-digit number issued by the National AIN Allocator. This number is associated with the premises ID number to establish a location for an animal within a given time frame.
3. Premises Information Repository: Stores the premises ID numbers for retrieval by AIN tag distributors in order to record the premises/animal association.

Dr. Siroky stated the purpose of the premises identification is to expedite animal disease trace back in the event of an emergency, i.e. foot and mouth disease, also, to preserve domestic and international marketability of our livestock products, and narrow a disease path to differentiate exposed animals from potentially exposed animals. Dr. Siroky stated the result should be fewer animals destroyed due to accurate exposure information. Dr. Siroky stated the ability of our current system to trace animals is at about a 25% level, the number increases to about an 80-90 % level with the animal tag identification in place.

Dr. Siroky stated the Idaho Identification Steering Committee consists of representatives from all aspects of the Idaho livestock industry and will identify and make recommendations on animal identification issues. The Steering Committee will consist of approximately 30 members with subcommittees formed to address education, IT, rules, and emerging issues.

Dr. James England, University of Idaho Caine Teaching Center; Professor, addressed the On-Ranch Application of Radio Frequency Ear Tags. Dr. England stated the project goals are to assist ranchers in adapting RFID/electronic animals identification to their operation, also, to assist in utilizing RFID and a computer record system to track animal movement, track animal health, and evaluate value/usability of RFID and computer record system in various ranch settings, ranches of various

sizes, different quality of production, whole ranch operations working with beef cattle

Dr. England discussed issues regarding data collection problems and compatibility, participating ranch locations, animal numbers, computer record system and parameters.

Dr. England stated the cost of implementing and maintaining the premises identification system is anywhere from \$10.00 to \$20.00 per head to initiate a complete system depending on the size of the ranch. Dr. England stated the cost of maintenance anywhere from \$3.00 to \$10.00, models are based on current prices this does include labor. Dr. England stated the cost will directly be related to supply and demand.

Julie Morrison, Northwest Pilot Project Coordinator, stated the pilot project is a separate entity underneath the umbrella project of Dr. Siroky, and Dr. England. Ms. Morrison stated the project partnership consists of Idaho, Washington, Oregon, Utah, California, Nevada, and Hawaii and shared with the committee that the project is a producer driven project. Ms. Morrison stated the state agriculture departments, state veterinarians and brand boards have been very receptive to the project. Ms. Morrison shared with the committee that Alberta Cattle Feeders Association has expressed interest in being involved with the project so they could streamline their system with the U.S. once the borders open up. Ms. Morrison stated that the U.S.D.A. is funding the entire project for all seven states. Ms. Morrison stated major focuses of the project will be to track animals from birth to death, provide cost share with the producer by reimbursing them at the rate of \$.75 cents per head which will provide a database, determine where other states are in the premises registration to help build similarities with the ID system across the region, the state cattle association will provide education and outreach on Northwest Pilot, and on national ID system.

Dr. Siroky and Dr. England presented handouts to the Committee regarding The Facts About National ID, and On-Ranch Application of Radio Frequency Ear Tags.

**Chairman Williams** suggested the committee members visit the University of Idaho Caine Veterinary Teaching Center sometime during session.

There was discussion and questions regarding the presentation.

**Senator Williams** addressed the committee regarding rules review, and assignment of rules, see attachment. Vice Chairman Gannon will be assigned to review the pending fee rules and the temporary rules.

**ADJOURN**

**Chairman Williams** adjourned the meeting at 10:10 AM

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Senator, Stanley Williams  
Chairman

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Kristen Weitz  
Committee Secretary

## MINUTES

### SENATE AGRICULTURAL AFFAIRS COMMITTEE

**DATE:** January, 18, 2005

**TIME:** 8:00 AM

**PLACE:** Room 437

**MEMBERS:** Chairman Williams, Vice Chairman Gannon, Senators Burtenshaw, Noble, Coiner, Corder, Broadsword, Stennett, Kelly

**ABSENT/  
EXCUSED:** None

**CALL TO ORDER** The meeting was called to order at 8:05 AM by Chairman Williams.

**INTRODUCTION** Chairman Williams introduced Pat Takasugi; Director of Idaho State Department of Agriculture and his staff.

**GUESTS** Chairman Williams welcomed Pat Takasugi; Director, Idaho State Department of Agriculture, Legislative Outreach, Laura Johnson; Bureau Chief, ISDA, Matt Voile; Noxious Weed Program Manager, ISDA, Mike Cooper; Bureau Chief, ISDA, Mike Everett; Deputy Director, ISDA, Dr. Clarence Siroky; State Veterinarian, John Charburn; Deputy Administrator, ISDA, Jerry Nicolescu; Administrator, ISDA, Kelly Nielsen; Financial Officer, ISDA.

**PRESENTATION** Pat Takasugi; Director, Idaho State Department of Agriculture welcomed questions about Agricultural issues or the presentation.

**IDAHO STATE DEPARTMENT OF AGRICULTURE** **Laura Johnson; Bureau Chief, International Trade and Domestic Market Development, ISDA** reported that as a direct result of the marketing promotions over the last year, Idaho Agriculture Promotions has generated sales of over \$ 5.9 million dollars for Idaho Agriculture with a return on investment of \$ 11.73 for every dollar invested in the Idaho Agriculture Marketing Program. Ms. Johnson stated Mexico historically has been most familiar with the white onion, progress is being made with exporting the yellow onion to Mexico. The ISDA marketing department continues to host inbound buying missions from Mexico with produce buyers and retailers. Ms. Johnson reported in fiscal year 2004 Idaho sold over \$ 675,000.00 dollars of yellow onions from this region. Ms. Johnson stated the total Agriculture Exports out of Idaho for 2004 fiscal year were approximately \$900 million dollars. Ms. Johnson reported that 60 % of Idaho's wheat crop is exported, most of the wheat going to the port of Portland, sold through large consolidators. Ms. Johnson reported television broadcasting of a cooking show in Mexico promoting 19 different agricultural products from five different states, funded through a grant received through a regional trade organization referred to as The Western U.S. Ag Trade Association. Ms. Johnson reported the cooking program was generated by attending the trade mission in Mexico.

Ms. Johnson commented on the launch of the ISDA's Idaho Preferred logo 2003- 2004, reporting that more producers in Idaho are using the sticker logo as a promotional effort to market Idaho Agricultural products in the market place. Ms. Johnson reported in 2004 the launching of the Idaho Preferred gift program using an extensive billboard program. Ms. Johnson reported the retail side with Idaho Preferred starting in the fresh produce section, Grasmick Produce a local produce distributor to Albertson's volume of fresh produce is up over 25%. Ms. Johnson reported on the school programs Healthy Harvest to get local products in the school service program adding fresh fruit to the school food program. Ms. Johnson provided an advertisement presentation of the Healthy Harvest.

**Matt Voile; Noxious Weed Program Manager, ISDA**, provided a presentation on Noxious Weeds in Idaho. Mr. Voile stated that Idaho's Program is the leader in the Nation. Mr. Voile reported on an innovative approach referred to as the Cooperative Weed Management Area (CWMA) made up of a volunteer organization set up on a geographic basis across the state of Idaho at water sheds. Mr. Voile stated that most of the funding for the Noxious Weed Program is acquired from federal dollars coming from forest service grants coming through an annual grant application by ISDA, funding also comes from the BLM, in addition to the general fund. Mr. Voile reported the program consists of approximately a \$ 2 million dollar budget for the state of Idaho. Mr. Voile stated that for every dollar that goes through ISDA into cost share programs is generating in excess of \$ 3.65 of weed control on the ground, in 2004, Idaho had \$ 5.5 million dollars worth of weed control occur because the programs administered through ISDA and the federal funding. Mr. Voile reported to the committee about the various methods of innovation for Noxious Weed Control, goats are being utilized more, goats preferentially graze on noxious weeds. Mr. Voile reported on the Hay Exchange Program funded through the cost share program. Mr. Voile stated the Hay Exchange Program assists in preventing new introduction of Noxious Weeds onto Idaho's forest ground. Mr. Voile reported on a hybrid species of an Aquatic Noxious Weed referred to as Eurasian Watermilfoil. Mr Voile shared with the committee that continued excellence for Idaho's Noxious Weed Program will require continued support and action.

**Mike Cooper; Bureau Chief, ISDA** updated the committee on Black Fly and Grasshopper issues. Mr. Cooper reported that Idaho's major black pest is the Simulium vittatum, a pest of livestock, also, there may be another species that has not been identified yet. Mr. Cooper discussed one of the areas of impact in the Treasure Valley being Nampa, Caldwell, Homedale, and Payette area. Mr. Cooper stated the geographic scope of the Black Fly Abatement Program could initially cover a five county area is SW Idaho and one county in Eastern Oregon. Mr. Cooper reported that during peak breeding season surveys and treatment may need to be conducted weekly. Mr. Cooper stated the serious impact is on livestock causing ranchers to move livestock into other areas, creating more cost to the rancher, reduced resistance of livestock to disease. Mr. Cooper reported the GPS and GIS technology would greatly facilitate the mapping and operational components of the program.

**Mike Cooper Bureau Chief, ISDA** reported on the ISDA Grasshopper/Mormon Cricket Suppression Program. Mr. Cooper stated major accomplishments were cost share policy letters were sent to impacted county commissions and University of Idaho extension offices, the program responded to 581 bait requests, established a data base of 475 impacted landowners, the aerial cost shared projects protected 37,186 acres.

**Mike Everett; Deputy Director, ISDA** reported on Crop Residue Disposal and Agriculture Smoke Management. Mr. Everett stated the Air Quality Standards are established by IDEQ and the U.S. EPA, ISDA manages ag smoke management within these standards. Title 22, Chapter 48, Idaho Code, Smoke Management and Crop Residue Disposal. Mr. Everett reported legislation is being proposed to apply penalty and fee provisions statewide. Mr. Everett reported on the zones, Tier I is counties south of the Salmon River, and Tier II is the ten northern counties. The statewide Smoke Management Plan for (2004), total acres registered: 128,228 and total acres burned were 89,183. The current status of program improvements involve additional TV and radio advertising, local meteorology, additional weather monitoring equipment, increased education and information is currently ongoing. Mr. Everett stated the importance that the state needs to come into alignment to manage the smoke on a statewide basis. The website address is: [www.idahosmokemanagement.org](http://www.idahosmokemanagement.org)

**Dr. Clarence Siroky, State Veterinarian**, reported on the Animal Identification. The USDA will maintain national premises information, the goal is 48-hour trace back capability for disease control purposes. Dr. Siroky stated there is a lot of cooperation with the ISDA, Brand Board, and the livestock industry, and that Idaho is ahead of many other states in the United States with the animal identification program. Dr. Siroky reported on Johne's Disease, disease symptoms, cost to dairy industry, and human health implications. Dr. Siroky reported the cost to the dairy is \$ 200.00 per head for an infected dairy cow. Dr. Siroky stated there are a variety of intervention methods that producers can put into place to reduce the transfer of the disease.

**John Chatburn; Deputy Administrator, ISDA**, reported on Agriculture Environmental Programs. Mr. Chatburn reported the livestock, dairy, and plant industries investigators, engineers and technical staff respond to odor complaints and conduct odor investigations. The toll free customer complaint line: 1-866-435-0490. Mr. Chatburn stated the toll free number is being used for a variety of agriculture issues. Mr. Chatburn reviewed the chart on Agricultural facilities with odor complaints. (see attachment) Mr. Chatburn stated the urban encroachment on rural areas will play a significant role in the increased number of complaints. Mr. Chatburn reported on Water Quality. The EPA will be issuing a mandatory NPDES General Permit for CAFO'S in Idaho during the summer of 2005, all CAFO'S must apply for this permit. The permit will require daily, weekly, and monthly monitoring, the records must be maintained on site at the facility, for five years with an annual report sent to the EPA.

**Jerry Nicolescu; Administrator, ISDA**, reported on the Soil Conservation Commission partnerships, programs, and products. Mr. Nicolescu reported there are five commission members and 21 staff members, working through Idaho's 51 local soil conservation districts. The commission works with legislators and in recent years has developed new partnerships with other commissions and agencies. Mr. Nicolescu reported on programs for example the Resource Conservation and Rangeland Development Program Loans with current loan balances over \$ 5.5 million dollars in FY 2004, 16 new low-interest loans approved to assist landowners/landusers in the implementation of conservation improvements on their farm or ranch. (see attached) Mr. Nicolescu reported on the Idaho TMDL Agricultural Implementation Plan, summary of plan (see attached).

**Kelly Nielsen; Financial Officer, ISDA**, reported on the ISDA Budget Highlights. Mr. Nielsen reported the Agriculture budget manages over 60 programs and over 30 funds. Budget breakdown based on FY 2004 actuals (see attached). Mr. Nielsen reported program organization and on internal restructuring of the departments, Ag inspection is requesting for more spending authority as the industry expands.

**Pat Takasugi; Director, ISDA**, closed the presentation with copies. (see attached)

There were questions and discussion regarding the presentation.

Chairman Williams commended the ISDA for their excellent work on their presentation and information presented to the committee.

**ADJOURN:** Chairman Williams adjourned the meeting at 10:15 AM

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Senator Stanley Williams  
Chairman

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Kristen Weitz  
Secretary



## MINUTES

### SENATE AGRICULTURAL AFFAIRS COMMITTEE

**DATE:** January 20, 2005

**TIME:** 8:00 AM

**PLACE:** Room 437

**MEMBERS PRESENT:** Chairman Williams, Vice Chairman Gannon, Senators Burtenshaw, Noble, Coiner, Corder, Broadsword, Stennett, Kelly

**MEMBERS ABSENT/ EXCUSED:** None

**GUESTS:** Laura Johnson; Bureau Chief, ISDA, Tom Schaefer; Bureau Chief, ISDA Gary Bahr; Bureau Chief, ISDA, George Robinson; Program Manager, ISDA, John Chatburn; Deputy Administrator, ISDA

**CALL TO ORDER:** The meeting was called to order at 8:00 AM

**MINUTES:** **Senator Burtenshaw** moved that the minutes of January 13, 2005 be approved as written. **Senator Gannon** seconded the motion. By unanimous voice vote the minutes were approved.

**INTRODUCTION:** **Chairman Williams** announced to the committee the meeting on Invasive Species in the Gold Room would be immediately following the meeting today, and recommended committee members attend.

**COMMITTEE BUSINESS** **Chairman Williams** turned the meeting over to **Vice Chairman Gannon** for the purpose of rules review, as is the custom in the Senate.

**02-0104-0401** **Rules Governing the Idaho Preferred TM Promotion Program, introduced by Laura Johnson, ISDA.** When the Idaho Preferred program was first developed, the general product qualifications were set knowing they would not meet all commodities. Then Preferred TM Promotion Program is making a point to work with the agriculture industry groups where they can put together customized product qualifications tailored to that commodity. Ms. Johnson referred to page 5, rule change for wine product qualification, section 200-04. Ms. Johnson referred to page 5, the nursery stock, product qualification, section 200-05. The Nursery Industry came to the ISDA stating the general qualification of 80% value was not going to work for a tree or flower.

Ms. Johnson referred to Page 5, section 200-06, Beef and Beef Products.  
Ms. Johnson referred to 200-07, Apicultural Products, the ISDA worked

with the Idaho Honey Commission and a gentleman from Eastern Idaho to put together the language stating that products produced by honey bees including raw honey, wax, pollen, and propolis shall be one hundred percent (100 %) Idaho origin. Processed honey shall be eighty percent (80 %) Idaho origin.

There was open discussion among committee members with Ms. Johnson regarding docket # 02-0104-0401.

**02-0214-0401**      **Rules for Weights & Measures, introduced by Tom Schaefer; Bureau Chief, ISDA.** Pending rule is to adopt by reference the 2005 edition of The National Institute of Standards and Technology Handbook 44 which are specifications and tolerances and other requirements for weighing and measuring equipment, this also amends the mailing address for the ISDA to a P.O. Box Number. **Senator Burtenshaw** asked if there were any changes to the rules other than what Mr. Schaefer just presented, Mr. Schaefer stated there were no other changes. Discussion of Docket # 02-0214-0401 concluded.

**02-0301-0401**      **Rules Governing Pesticide Management Plans for Ground Water Protection, introduced by Gary Bahr; Bureau Chief, Water Quality Bureau, ISDA.** Presenting rules as a new chapter within the rules for the ISDA. Mr. Bahr reported, much of Idaho's ground water is of high quality, over 90 % of Idaho's drinking water comes from ground water and protecting Idaho's resource is important. Legislation passed the Idaho Ground Water Protection Plan, in 1991 and 1995 signed by Governor Batt. Mr. Bahr, reported there were five public meetings in September of 2004 around Idaho, the meetings were well advertised but not well attended.

There was discussion among committee members regarding docket # 02-0301-0401 for further clarification.

**02-0303-0401**      **Rules for Governing Pesticide & Chemigation Use & Application, introduced by George Robinson; Program Manager, ISDA.**

The rule is an existing rule starting on pg. 25, all changes begin on pg. 31, the proposed rule deals with professional applicators, and pesticide dealers. The docket deals with waiting times that are involved when an individual fails to pass the applicator exams. The objective is to simplify the process in the field.

**02-0407-0401**      **Grade A Condensed Dry Milk & Whey Products introduced by John Chatburn; Deputy Administrator, ISDA.**

The rule begins on pg. 43. The proposed rule was to repeal this rule in its entirety. This is no longer a federal stand alone document. It has been incorporated into the 2003 Pasteurized Milk Ordinance. The complete text of the proposed rule was published in the October 6, 2004, Idaho Administrative Bulletin, Volume 04-10, page 34.

**02-0408-0401**      **Rules Governing Grade A Milk & Milk Products introduced by John**

**Chatburn; Deputy Administrator, ISDA.**

The rule begins on pg. 45. The proposed rule was to adopt the 2003 Grade A Pasteurized Milk Ordinance by reference. Mr. Chatburn stated this is a proposed rule bringing the rule up to date from the 1994 rule. The complete context of the proposed rule was published in the October 6, 2004, Idaho Administrative Bulletin, Volume 04-10, pages 35 & 36.

**02-0409-0401 Rules Governing Methods of Making Sanitation Ratings of Milk Supplies, introduced by John Chatburn; Deputy Administrator, ISDA.**

Rule begins on pg. 49. The proposed rule removed the "as amended" language and adopts by reference the 2003 Revision of "Methods of Making Sanitation Ratings of Milk Shippers". The complete text of the proposed rule was published in the October 6, 2004, Idaho Administrative Bulletin, Volume 04-10, pages 37 & 38.

**02-0410-0401 Procedures Governing The Cooperative State-Public Health Services, Food & Drug Administration Program for 02-0410-0401, introduced by John Chatburn; Deputy Administrator, ISDA.**

Rule begins on pg. 53. The proposed rule removed the "as amended" language and adopts by reference the 2003 Revision of the "Procedures Governing the Cooperative State Public Health Services, Food and Drug Administration Program for Certification of Interstate Milk Shippers".

**02-0412-0401 Rules Governing Standards for the Fabrication of Single-Service Containers & Closures for Milk & Milk Products, introduced by John Chatburn; Deputy Administrator, ISDA.**

Rule begins on pg. 57. The proposed rule was to repeal this rule in its entirety. This is no longer a federal stand alone document. It has been incorporated into the 2003 Pasteurized Milk Ordinance. The complete text of the proposed rule was published in the October 6, 2004, Idaho Administrative Bulletin, Volume 04-10, page 42.

Rules Review concluded, Senator Williams thanked the committee and visitors for their time and efforts.

**ADJOURN:** Chairman Williams adjourned the meeting at 9:00 AM

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Senator Stanley Williams  
Chairman

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Kristen Weitz  
Secretary

## MINUTES

### SENATE AGRICULTURAL AFFAIRS COMMITTEE

- DATE:** January 25, 2005
- TIME:** 8:00 a.m.
- PLACE:** Room 437
- MEMBERS PRESENT:** Chairman Williams, Vice Chairman Gannon, Senators Burtenshaw, Noble, Coiner, Corder, Broadsword, Stennett, Kelly
- MEMBERS ABSENT/ EXCUSED:** None
- CALL TO ORDER:** Chairman Williams called the meeting to order at 8:00 AM.
- GUESTS:** Bob Naerebout; Executive Director, Idaho Dairyman's Association, Stan Boyd; Idaho Legislative Advisor, Idaho Cattle Association, Larry Hayhurst; Idaho State Brand Inspector, Laura Wilder; Executive Director, ISDA, John Chatburn; Deputy Administrator, ISDA, Rick Waitley; Food Producers of Idaho, University of Idaho students from two campus's, Idaho Falls, and Moscow, Idaho: Robert Hale, Sheree Schulthies, Cody Miller, Katie Tipton, Kristi Miller, Tommy Goodwin, Brian Brent, Jared Wolfley, John Klein, Riley Higby, Stephanie Kuespert, Heidi McCall, Heather McCall, Kelly Olson, Lindy Widner, Dusty Allison, Ryan Gerulf, Chris McIntosh; Professor, University of Idaho.
- INTRODUCTION:** **Senator Williams** extended a warm welcome to guests and representatives from ISDA, the Idaho Dairyman's Association, Idaho Cattle Association, Idaho State Brand Inspector, also, **Senator Williams** welcomed Rick Waitley representing the students from the University of Idaho, attending the 5<sup>th</sup> University of Idaho Annual Agriculture Economic Public Policy Tour. Each student introduced himself/herself to the committee. Senator Williams assured the committee these students will be the future leaders in the Ag industry.
- MINUTES:** **Senator Noble** moved that the minutes for January 18, 2005 be approved as written. **Senator Broadsword** seconded the motion. By unanimous voice vote the minutes were approved.
- Senator Corder** moved that the minutes for January 20, 2005 be approved as written. **Senator Broadsword** seconded the motion. By unanimous voice vote the minutes were approved
- S 1003** Bob Naerebout was given the floor to present S 1003 relating to the Idaho Dairy Products Commission; Amending section 25-3102, Idaho Code, to

revise membership requirements for the composition of the Idaho Dairy Products Commission and to make technical corrections; and Amending section 25-3104, Idaho Code, to revise the number of commission members required to represent certain designated districts and to revise designated Representative Districts.

**DISCUSSION:**

Mr. Naerebout reported S 1003 is very straightforward with the language and reviewed with the committee the geographic alignment of the Districts. The Bill was voted on by membership at the annual meeting of the Idaho Dairy Products Commission. **Senator Corder** questioned the language that three elected commission members shall represent one of the nine districts, what about the other two districts. Mr. Naerebout stated the language has not been in question before, for clarification what will occur, is each district will have a member up for election each year, with a three year rotation. **Senator Williams** asked what the reason is for geographically breaking into three districts. Mr. Naerebout stated the reason is to make it easier administratively and to get better representation. The legislation does not accomplish a way to continue the adjustments without having to come before the senate and house committee for legislative changes. **Senator Kelly** suggested a change be made to Statute 25-3106 which references the original creation of the nine districts by number, Chapter title is: Producer Member Term of Office Appointments. **Senator Coiner** asked if the reference would be simple to change or does it need to be put in the Bill and address it later. **Senator Kelly** stated the reference should be alright, and did not recommend doing anything at this time. Mr. Naerebout agreed they need to go back and review that section. No further questions from the committee.

**MOTION:**

**Senator Broadsword** made the motion to report S 1003 with a DO PASS recommendation. It was seconded by **Senator Noble**.

**Chairman Williams** called for a roll call vote on S 1003.

Ayes - Senators Gannon, Williams, Burtenshaw , Noble, Coiner, Corder, Broadsword, Kelly.

Nays - None

Absent/Excused: Senator Stennett

Senator Gannon will sponsor S 1003.

**RS 14651C1**

**Chairman Williams** stated RS 14651C1 will be presented to committee for print hearing. Stan Boyd was given the floor to present RS 14651C1 relating to the Idaho Beef Council; Amending Section 25-2907, Idaho Code, to increase certain assessments under terms specified and to provide for refunds under terms specified; and declaring an emergency for print hearing to committee. Mr. Boyd stated that when change one was sent to print, the sponsor forgot to put the emergency clause on the RS. The purpose of the proposed legislation is to provide for the Idaho Beef

Council to have the authority to raise the beef promotion state assessment on cattle from not more than fifty cents (\$.50) per head to not more than one dollar ( \$1.00) per head.

**Senator Gannon** made the motion to send RS 14651C1 to print. The motion was seconded by **Senator Noble**. The motion carried by a voice

- 11-0201-0501** **Idaho State Police Rules of the Idaho State Brand Board (Fee Rule), introduced by Larry Hayhurst; State Brand Inspector.** Mr. Hayhurst referred to the handout showing the agency costs quote sheet from 1992-2004 and stated there has not been a fee increase since 1992. The insurance coverage for employees have increased to \$ 7,125.00 for FY 2006. The biggest issue is the cost of doing business, the Idaho Brand Department operates on dedicated funds and does not receive general fund money. Without the fee increase the Idaho State Brand Department will be in the negative for approximately \$ 215,000.00 dollars.
- DISCUSSION:** **Senator Burtenshaw** questioned that in 2001, the head count was 2,347,427, which seems high, and then the numbers drop for FY 02, 03, 04, and asked if that is a trend in the industry. Mr. Hayhurst stated there are many variables relating to the head count.
- 51-0101-0401** **Idaho Beef Council Rules introduced by Laura Wilder; Executive Director, Idaho Beef Council.** Ms. Wilder stated that first rule is an update, stating the office has moved to a new address. The second change is updating the language stating that a total of at least twenty percent (20%) of the Idaho credit shall be paid by the Idaho Beef Council, to be used by the national beef promotion program for use in promotion, research and educational activities. The third change is an update to the Logo.
- 02-0406-0401** **Requirements for Licensed Dairy Plants introduced by John Chatburn; Deputy Administrator, ISDA.** Mr. Chatburn stated the proposed rule removed the “as amended” language from the 1986 rule and adopts June 17, 2002, USDA/AMS Milk for Manufacturing Purposes and its Production and Processing, Subpart E, “Requirements for Licensed Dairy Plants”. The department received no public comments on this rule and the pending rule is being adopted as proposed. The complete text of the proposed rule was published in the October 6, 2004, Idaho Administrative Bulletin, Volume 04-10, pages 32 and 33.
- 02-0415-0401** **Rules Governing Beef Cattle Animal Feeding Operations introduced by John Chatburn; Deputy Administrator, ISDA.** Mr. Chatburn stated the proposed rule implements the provisions of HB 682 regarding nutrient management plans, updates referenced materials, and makes technical corrections. The pending rule is being adopted as proposed. The complete text of the proposed rule was published in the September 1, 2004, Idaho Administrative Bulletin, Vol. 04-9, pages 27 through 32. The most controversial section of the rule is on pg. 64, 030 Nutrient Management. On pg. 65, section 032.03 Nutrient Management Records are not in the Statute. The legislation details that all records shall be maintained for a period of five (5) years and presented to the Administrator upon request.

**02-0419-0401**      **Rules Governing Domestic Cervidae introduced by John Chatburn; Deputy Administrator, ISDA. Senator Gannon** clarified the definition of Cervidae for committee members and visitors. Mr. Chatburn stated the changes begin on pg. 69, updating the incorporation by reference sections to reflect the more recent versions of federal regulations. The reason the rule is lengthy is due to the language premise changed to premises. Mr. Chatburn reported on pg 71, definition 21, Death Certificate. Mr. Chatburn anticipates there will soon be an electronic identification form available to individuals who have access to the internet. Mr. Chatburn referred to pg. 73

**DISCUSSION:**      **Senator Williams** asked how soon the rule would be implemented as far as requiring the electronic identification. Mr. Chatburn stated the electronic identification has been added as one of the forms of official identification for the animal. Currently through the animal ID grant, ISDA did receive some free electronic identification tags, some elk farms have signed up to have them administered to the elk farms. Mr Chatburn stated there is no mandatory requirement in this set of rules requiring all elk farms to switch to electronic identification. **Senator Burtenshaw** asked in order to prevent mixing of cervidae (wild and tame) on the compound, does the facility have to be inspected by the department. Mr. Chatburn stated yes, the rules require the domestic cervidae may only be maintained on facilities that meet the conditions of the rules. The ISDA and Department of Fish & Game conduct thorough inspections of the facilities to make sure the provisions are met.

**02-0403-0401**      **Rules Governing the Animal Industry introduced by John Chatburn; Deputy Administrator, ISDA.** Mr. Chatburn reported that this rule updates and clarifies the rules regulating the disease Trichomoniasis, and makes technical corrections. Mr. Chatburn stated these amendments were brought to the committee by the Trichomoniasis advisory committee comprised of veterinarians and cattle producers. Mr. Chatburn stated the rules were approved by the Idaho Cattle Association.

**02-0425-0401**      **Rules Governing Private Feeding of Big Game Animals (New Chapter) introduced by John Chatburn; Deputy Administrator, ISDA.** Mr. Chatburn stated the ISDA considered comments made from session 2004, house and senate committees, and some of the rules were re-

**DISCUSSION:**      **Senator Corder** asked on pg. 89, section 120, to define what it means for a person feeding cattle out in the open, what does it mean for them to cooperate. Mr. Chatburn stated not allowing ISDA access to the property to address the issue, or not allowing access to the property to trap the animal to test and remove an animal. The livestock producer has some responsibility to ensure the livestock are not infected with Brucellosis. **Senator Stennett** asked if the Bull Elk transmit Brucellosis and are they carriers. Mr. Chatburn stated yes, Bull Elk are carriers of Brucellosis, however, the primary mode of transmission is through birthing activities.

**02-0426-0401**

**Rules Governing Livestock Marketing introduced by John Chatburn; Deputy Administrator, ISDA.** Mr. Chatburn stated that this rule details the requirements for Public Livestock Markets. It is a modification of a rule that was rejected by the 2004 Legislature. This rule has been modified to reflect the recommendations of the germane legislative committees. The department received no public comments on this rule and the pending rule is being adopted as proposed. The complete text of the proposed rule was published in the September 1, 2004, Idaho Administrative Bulletin, Vol. 04-9, pages 33 through 39. Mr. Chatburn stated the sale yards keep records of who they receive the animal from and that the animal can be traced back to its origin. Mr. Chatburn referred to, definition 121., Approved Forms Of Identification.

**Senator Williams** announced the committee will continue with rules review on January 27, 2005.

**ADJOURNED:** **Chairman Williams** adjourned the meeting as 9:45 AM

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Senator Stanley Williams  
Chairman

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Kristen Weitz  
Secretary



## MINUTES

### SENATE AGRICULTURAL AFFAIRS COMMITTEE

**DATE:** January 27, 2005

**TIME:** 8:00 a.m.

**PLACE:** Room 437

**MEMBERS PRESENT:** Williams (Williams), Vice Chairman Gannon, Senators Burtenshaw, Noble, Coiner, Corder, Broadsword, Stennett, Kelly

**MEMBERS ABSENT/ EXCUSED:** Excused **Chairman Williams**

**CALL TO ORDER:** **Vice Chairman Gannon** called the meeting to order at 8:00 a.m.

**GUESTS:** **Vice Chairman Gannon** welcomed Steve Williams who will be filling in for **Chairman Williams** during his absence.

**RULES REVIEW** **Idaho State Department of Agriculture Rules Review**

**02-0601-0401 Pending Fee Rules (green)** Mike Cooper; Bureau Chief, ISDA, presented docket # 02-0601-0401 Rules Governing the Pure Seed Law. There were two changes starting on page 7, with the Administrative Fee not to exceed \$ 2.00 per test. The reason for the fee is the seed industry requested they adopt a new software package called Pure Harvest. The new software allows representatives from the seed company to come into the seed lab and view the seed samples on the computer software. When the results are complete, they are e-mailed from the company and then to the producer. The software package is proprietary and because of that, there is a charge of \$.50 cents per test to utilize the program. The administrative fee will recover the cost of the initial start-up. Mr. Cooper referred to pg. 9 which states, "An in-state dealer or out-of-state dealer who sells, offers for sale, exposes for sale or delivers seed only in packages of less than eight (8) ounces is exempt from Section 600".

**DISCUSSION:** **Senator Corder** asked if anyone knew what Tetrazolium was. The test fee is significantly higher than the Purity or Germination fee, and asked what is Tetrazolium's value, **Senator Corder** stated after a lot of research **Senator Corder** found out that the Tetrazolium is a true indicator of whether or not a type of seed will germinate. **Senator Corder** stated that he will work diligently to make sure that testing for Tetrazolium becomes an important part of the seed testing procedure so that the vitality of the seed can be measured.

**MOTION**

**Senator Broadsword made a motion to approve:** Docket # 02-0601-0401. **The motion was seconded by Senator Kelly. The motion carried by a voice vote.**

**02-0616-0401  
Pending Fee  
Rules(green)**

Sherm Takatori; Program Manager, ISDA, presented docket # 02-0616-0401, Crop Residue Disposal Rules. The amendment of Section 22-4804 (1) Idaho Code, refers to an increased registration fee from \$ 1.00 per acre to \$ 2.00 per acre. The proposed rule change was necessary pursuant to HB 776, which became effective on March 23, 2004. The proposed rule change pertains to the 10 counties in Northern Idaho to fund the smoke management and crop residue disposal programs.

**DISCUSSION:**

**Senator Kelly** asked if the reason for the increased fee was due to the reduction in the number of acres burned. Mr. Takatori stated, no, the funds were not sufficient enough to fund a program for crop residue disposal. **Senator Burtenshaw** asked if the department discussed the proposed fee increase with the grain producers and various groups in Northern Idaho. Mr. Takatori stated yes, and there was no opposition to the proposed fee increase. **Senator Kelly** asked if there was enough funding for the program for 2005. Mr. Takatori stated yes there is adequate funding to run the program, however, the department is uncertain of the challenges that lie ahead.

**MOTION**

**Senator Burtenshaw made a motion to approve** Docket # 02-0616-0401. **The motion was seconded by Senator Kelly. The motion carried by a voice vote.**

**02-0602-0401  
Pending Rules**

Mike Cooper; Bureau Chief, ISDA, presented Docket # 02-0602-0401, Rules Pertaining to the Idaho Commercial Feed Law (Adopt 2004 publication). The proposed rule incorporated by reference the 2004 version of Terms and Ingredient Definitions, and Policy Statements as published in the Official Publication of AAFCO, where those terms and ingredient definitions, and policy statements do not conflict with feed terms and ingredient definitions, and policy statements adopted under Title 25, Chapter 27, Idaho Code, and any rule promulgated thereunder. The 13<sup>th</sup> edition of the Merck Index, as published in 2001, and was also incorporated by reference into the rule. Sections required by the Office of Administrative Rules, such as, Legal Authority, Title and Scope, Definitions, and Office Hours, were also added.

**DISCUSSION:**

**Senator Burtenshaw** referred to pg. 103, section, 003. Administrative Appeal, stating there are no provisions for administrative appeals before the Idaho State Department of Agriculture under this chapter. Hearing and appeal rights are pursuant to Title 67, Chapter 52, Idaho Code and asked if the rule was different from all the other rules. Mr. Cooper stated no, the ISDA uses the appeals process pursuant to Title 67, Chapter 52. **Vice Chairman Gannon** stated that by the time the rule takes effect on pg. 103, the rule will be obsolete, and asked why should the committee adopt the proposed rule for the 2004 edition of AAFCO if the 2005 edition is forthcoming. Mr. Cooper stated that the proposed rule adopting the

2004 edition is being used as a temporary rule until the 2005 edition is in place.

**02-0602-0402**

Mike Cooper, Bureau Chief, ISDA, presented Docket # 02-0602-0402, Rules Pertaining to the Idaho Commercial Feed Law (Adopt 2005 publication) Mr. Cooper stated the proposed rule adopts the 2005 edition of The Official Publication of the Association of American Feed Control Officials. This is a standard reference manual used by the department and other state and federal regulatory officials in the review and registration of animal feed products. The manual provides consistency between the states in the registration of animal feed products.

**Vice Chairman Gannon** found during rules review that there was a difference in the AAFCO acronym on pg. 107, showing AAPFCO with a "P", and the proposed rule is referencing the incorrect publication, Mr. Cooper stated there was an error and stated the 2004 publication will be used as a temporary publication until the 2005 version is published, the 2005 version contains the incorrect reference.

**Vice Chairman Gannon** informed the committee that the course of action most prudent is to reject docket # 02-0602-0402 in its entirety. The Idaho State Department of Agriculture will have to write a temporary rule to adopt the 2005 version of the manual, and the rule will be reviewed by the Ag Committee during the 2006 legislative session.

**MOTION**

**Senator Noble** made a motion to reject ISDA Rule 02-0602-0402 in its entirety. The motion was seconded by **Senator Coiner**. The motion carried by a voice vote.

**02-0605-0301**

Mike Cooper; Bureau Chief, ISDA, presented Docket # 02-0605-0301, Rules Governing Diseases of Hops (*Humulus lupulus*). Mr. Cooper stated the proposed rule concerns hops disease control. In the past there were a few counties in the panhandle of Idaho placed under quarantine, and no new root stock could move into that area for fear of disease. As it turns out, Busch Ag, Elk Mountain Farms is dealing with some proprietary hops root stock from Europe and in the past the hops root stock had to go through a post entry quarantine in Fort Collins, Colorado or Washington state and stay on the site for two years before it could be moved to another site.

**DISCUSSION:**

**Vice Chairman Gannon** asked if neighboring states should be concerned. Mr. Cooper stated no, there are no hops grown on either side of the border.

**02-0612-0401**

Mike Cooper; Bureau Chief, ISDA, presented Docket # 02-0612-0401, Rules Pertaining to the Idaho Fertilizer Law (civil penalties). Mr. Cooper stated the proposed rule addresses the changes to Title 22, Chapter 6, Idaho Code (HB548), which authorized a civil penalty assessment for specialty fertilizers deficient in nutrients as authorized by rule. Additionally, the overall index value currently set at 98% had been proven to be too strict and was decreased to 97%. Some technical corrections were also made. Mr. Cooper stated the 98% index value was adopted throughout the U.S. under the uniform rules. The violation rate increased by 25 - 30 %. Mr. Cooper stated growers were complaining that 98% was

to high and the index needed to be reduced to 97%. Mr. Cooper stated changes have been made on pgs. 117-118 that state the enforcement guidelines for penalties.

- DISCUSSION:** **Senator Corder** asked, at what point does testing occur on fertilizer products coming in to Idaho from out of state. Mr. Cooper stated, bin sampling is done on site when they receive the fertilizer product, if the fertilizer product is found to be substandard, then, the processor is notified immediately before they begin the mixing process, and an adjustment is made before the product is processed and ready to ship.
- 02-0612-0402** Mike Cooper; Bureau Chief, ISDA, presented Docket # 02-0612-0402, Rules Pertaining to the Idaho Fertilizer Law (Adopt 2005 publication). Mr. Cooper stated this proposed rule adopts the 2005 edition of The Official Publication of the Association of American Plant Food Control Officials. The manual is a reference manual used by the Department and other state and federal regulatory officials in the review and registration of fertilizer products.
- 02-0626-0401** Mike Cooper, Bureau Chief, ISDA, presented Docket # 02-0626-0401, Rules Governing Seed Potato Crop Management. Mr. Cooper stated the proposed rule defines the geographical boundaries for a new Seed Potato Crop Management Area in Elmore County to be known as the Little Camas Ranch Seed Potato Crop Management Area. **Senator Corder** stated the area is within 40 miles of the commercial growing area.
- 02-0641-0401** Mike Cooper; Bureau Chief, ISDA, presented Docket # 02-0641-0401, Rules Pertaining to the Idaho Soil and Plant Amendment Act of 2001, (Adopt 2004 publication). Mr. Cooper stated the proposed rule incorporated by reference the 2004 version of Terms and Ingredient Definitions, and Policy Statements as published in the Office Publication AAFCO, where those terms and ingredient definitions, and policy statements do not conflict with terms and ingredient definitions, and policy statements adopted under Title 22, Chapter 22, Idaho Code, and any rule promulgated thereunder. The 13<sup>th</sup> edition of the "The Merck Index," as published in 2001, was also incorporated by reference into this rule
- Senator Burtenshaw** asked how to get the information about all the rules out to the public. Mr. Cooper stated the fertilizer industry will forward the information to the public, the titles of the rules are also published in the newspapers throughout Idaho. **Vice Chairman Gannon** stated the rules have to be published in the industry bulletin.
- 02-0641-0402** Mike Cooper; Bureau Chief, ISDA, presented Docket # 02-0641-0402, Rules Pertaining to the Idaho Soil and Plant Amendment Act of 2001 (Adopt 2005 publication). Mr. Cooper stated the proposed rule change is adopting the 2005, Official Publication of AAFCO.
- COMMITTEE DISCUSSION ON RULES** **Vice Chairman Gannon** opened the floor for discussion and or comments from committee members on a particular docket or rule. **Senator Kelly** commented on docket # 02-0415-0401. Rules Governing Beef Cattle Animal Feeding Operation. **Senator Kelly** will vote to adopt the rules proposed by the Idaho Department of Agriculture, because they

reflect legislative intent, but that she disagrees with the legislative intent that allows nutrient management plans to be kept unavailable to the public. It is the legislative intent that **Senator Kelly** disagrees with, not the department of agriculture actions. **Senator Coiner** agreed with **Senator Kelly**. **Senator Coiner** stated having open nutrient management plans would be a plus for the CAFO's not a negative. **Senator Burtenshaw** stated the ISDA is given full authority to review the nutrient management plans, ISDA does the testing. The nutrient management plans are open to the ISDA. The ISDA has full authority to check a facility and the nutrient management plans. The ISDA's responsibility is to govern the facility.

Committee Rules Review is complete for the 2005 Legislative Session

## MOTION

**Senator Noble** made a motion to approve all the rules with the **exception of rejection of docket # 02-0602-0402**. The motion was seconded by **Senator Burtenshaw**. The motion carried by a voice vote.

**Vice Chairman Gannon** announced the next meeting on February 3, 2005 will be an educational session on Mormon Cricket Control and Grasshopper Control. The meeting will bring out the deficiencies if there are any, of the management of cricket control. **Vice Chairman Gannon** reported there will be representatives from the various departments such as the ISDA, BLM, USDA, and APHIS. The Department of Ag will send out a press release to announce the informational session to the public.

**Vice Chairman Gannon** adjourned the meeting at 9:10 a.m.

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Senator Stanley Williams  
Chairman

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Kristen Weitz  
Secretary

## MINUTES

### SENATE AGRICULTURAL AFFAIRS COMMITTEE

**DATE:** February 1, 2005

**TIME:** 8:00 a.m.

**PLACE:** Room 437

**MEMBERS PRESENT:** Chairman Williams (Williams), Vice Chairman Gannon, Senators, Noble, Coiner, Corder, Broadsword, Stennett, Kelly

**MEMBERS ABSENT/ EXCUSED:** Absent Chairman Williams, Excused Senator Burtenshaw

**GUESTS:** See attached sign-in sheet.

**CALL TO ORDER:** **Vice Chairman Gannon** called the meeting to order at 8:00 AM

**INTRODUCTION:** **Vice Chairman Gannon** introduced Dr. John Hammel; Dean, University of Idaho, College of Agricultural & Life Sciences, Agricultural Research & Extension, also welcomed Lloyd Knight; Executive Director, Idaho Cattle Association.

**PRESENTATION**  
**Dr. John Hammel**

Dr. Hammel reported on the 2004 economic outlook, the report was prepared by a variety of ag economists, and provides a valuable source of information. (See attached) The Idaho cash receipts for 2004 indicated a record high of \$ 4.4 billion dollars, which is up 12% over 2003. The livestock and crop revenues were up: livestock had an increase of 19 % and crops were up 4 %. The increase in livestock revenue was primarily due to the dairy industry and also in response to an increase in the beef prices for 2004. Crops were up, primarily due to strength in wheat and barley, however Idaho had a record yield in potatoes, but the prices were down compared to where they have been in past years.

Dr. Hammel stated the overall combination of livestock and dairy have made Idaho strong in the Agriculture Industry. The bottom line for 2004 indicates cash receipts were a record high at \$ 4.4 billion dollars and net farm income was up 38 % to \$ 1.68 billion dollars. Dr. Hammel stated that the growth over the last decade from 1990 -2003 with Idaho's gross state product (GSP) average, was at 5.6 %. Dr. Hammel indicated the strong growth in Idaho's Agricultural economy is steadily increasing, and the growth will continue to be a significant player in the overall economy of Idaho.

Dr. Hammel reported on the Ag Research and Extension centers, the

college is involved with the traditional ag enterprises, family and consumer sciences, specifically early childhood development, nutrition and dietetics. Dr. Hammel stated that the department of food science is an industry that is rapidly growing in Idaho. The state research and extension appropriation was \$ 24,679,100 dollars which was 36 % of the overall Ag R&E Budget for 2004. The dollars are split into two components:

1. State Extension
2. State Research.

Dr. Hammel reported that for every \$ 1.0 million dollars appropriated, the U of I Ag Research and Extension centers leveraged that to \$ 1.35 million more, and that includes the grants and contracts, partnerships with counties, federal, services, state research, and state extension. During FY 2004, the Ag Research and Extension center had a record number of grants and contracts, for FY 2004 indicated a total of \$ 19,297,331 dollars. The grants and contracts are from the National Science Foundation, National Institutes of Health ( NIH), USDA -National Research Initiative, and the Idaho Commodity Commissions.

**Senator Corder** asked what the future plans are to leverage further, and what categories does the college anticipate the capacity for growth. Dr. Hammel stated the areas that will increase, are grants and contracts, which Dr. Hammel is an investment in intellectual capital for the Ag Science and Research centers. **Senator Corder** asked if there were things the legislature could do to enhance the ability of the College of Agriculture and Life Sciences to generate grants and contracts to prevent limitations with growth. Dr. Hammel reported the off campus research and extension equipment is over 10 years old, replacing the equipment would enhance the facility.

Dr. Hammel reported on the development of new wheat varieties to enhance pest and disease resistance in order to maintain a high level of quality and competition in the market:

1. Alturas: soft white spring wheat
2. Moreland: hard red winter wheat

The "Moreland" wheat is the first Idaho wheat product to be selected by the Pendelton Flour Mill in Pocatello, Idaho and used in their grind. Dr. Hammel reported that in most land grant breeding programs, approximately 80 % of the wheat developed is exported for non-domestic use. In Idaho wheat, approximately 40 % is used for domestic consumption, this adds to the stability of the wheat market.

There are two new varieties of rapeseed and canola:

1. Gem - a rapeseed variety
2. Clearwater - a canola variety.

The two new varieties are both herbicide resistant and offer a competitive

advantage to the Idaho wheat producers.

**Vice Chairman Gannon** asked if the department has been involved with ethanol, and bio-diesel research. Dr. Hammel stated yes, the department is working with the Ag Engineering department, economists, and soil biologists, and the College of Natural Resources, conducting research with ethanol and bio-diesel processes.

Dr. Hammel reported on potato variety development, there have been four new varieties developed.

1. Defender - late blight resistant
2. Gem Star Russet - consistent quality during years of water shortage
3. Summit Russet - long storing, resist defects and storage rot
4. Western Russet - high yielding, high solids

Dr. Hammel reported on the Dairy Disease Prevention project, they are working on a staphylococcus vaccine for dairy cows, which is currently in the development stages with a Korean company. The potential savings for the Idaho dairy industry annually, would be approximately \$ 90 - 100 million dollars. Staphylococcus is a major cause of mastitis in dairy cows. **Vice Chairman Gannon** asked if there have been any increases in dairy diseases at large concentration dairies or is the disease throughout the dairy industry. Dr. Hammel stated he did not have an answer, but stated most large dairies have a veterinarian on site. Bob Naerebout stated the size of the dairy does not really matter, it is more management of the operation.

Dr. Hammel reported on the Rapid Bovine Pregnancy Test, this test saves 22 days per non-pregnant (NP) cow detected, compared to the palpation method. The potential savings to Idaho Dairy industry is approximately \$ 3 million annually.

The food technology center in Caldwell, Idaho provides technical and business assistance for small to mid-sized food companies and food entrepreneurs. The two successful projects that are notable, is the development of a process to fortify potato flakes with vitamin A, iron, and iodine without altering the taste of the flakes. The goal of the project is to increase marketing of the potato flake for programs like the USAID food aid program. The other success story is about Mom's Special Mustards, in Boise, Idaho. The company has eight different types of mustard, and through the small food development tech. center, the company has been able to increase production and retail potential.

Dr. Hammel reported on the challenges and concerns the university has, which are budget reductions, meeting critical program needs, a reduction in faculty and staff, infrastructure and equipment maintenance, retention and recruitment of faculty and staff. The salaries for faculty are 10 - 25 % below the competition. The competition may be the local universities and other major institutions like Virginia Tech., Minnesota, Purdue, and California universities. Offering higher salaries would create a significant impact on the University of Idaho Ag and Research department with regard to attracting faculty and staff to the University. The department has to continue to create innovative ways to retain faculty and staff. Dr.



Hammel predicts the shortage will not decline.

The role of the Agriculture and Life Science programs is to provide an economically viable and sustainable communities in the State of Idaho. The university needs to find ways to fill positions that are critical to the programs and departments, use the existing resources, and shift resources to other areas of the department and programs in need.

Dr. Hammel reported on the U of I College of Agriculture and Life Sciences research and extension facilities:

- Parma - food
- Dubois - sheep
- Aberdeen - potato
- Hagerman - fish

Dr. Hammel concluded the presentation stating the department is looking at who they are and a plan for a road map as to how to re-allocate resources, and be fiscal stewards with existing resources.

**Vice Chairman Gannon** asked if there were any students taking classes or majoring in Agricultural Studies at the U of I. Dr Hammel stated yes, there are students enrolled in Ag Studies and graduate programs. The enrollment has increased in the past year with a record number of graduate students. The grants have helped support the graduate students and undergraduate students continue their education in Ag Studies. The area that continues to grow the most, is the School of Family Consumer Science which is the largest unit, and has approximately 20 % of the overall student population. The most significant change in the department has been Idaho's need for a certificate in early childhood development and education, the Consumer Science department and the College of Education are working together in a collaborative effort to offer the program for instructors. Dr. Hammel stated the College of Agriculture and Life Sciences has approximately 1100 students enrolled, 850 are undergraduate students and 250 are graduate students.

**Senator S Williams** asked if the 4-H programs in the state of Idaho are on the increase or decrease. Dr. Hammel stated the 4-H programs continue to increase, in 2004 there were 48,000 youths enrolled in the 4-H programs in the State of Idaho.

**Vice Chairman Gannon** commended Dr. Hammel for presenting an update on the College of Agricultural & Life Sciences.

## S 1056

Lloyd Knight was given the floor to present S 1056 Relating to, The Idaho Beef Council; Amending Section 25-2907, Idaho Code, To Increase Certain Assessments Under Terms Specified And To Provide For Refunds Under Terms Specified; And Declaring An Emergency. Mr. Knight provided the committee with handouts regarding the annual report for the IBC for 2003 - 2004, beef check off basics (see handouts).

The state beef check off is part of a national effort to promote beef as a product to consumers, and is the industries program to promote public relations. The reason the changes are being presented is due to challenges to the constitutionality of the program that are currently being reviewed by the U.S. Supreme Court. The IBC believes the changes are necessary, should the court rule adversely against the check-off. The state check-off still has the ability to collect funds and has the ability to provide a refund to those who request a refund. Mr. Knight stated that if the court rules adversely, in the future, the IBC may need to make another amendment.

Mr. Knight stated the existing language in 25-2907 does only grant the ability of the IBC to levy the assessment of \$. 50 cents per head. **Vice Chairman Gannon** asked how many other states have adopted this legislation. Mr. Knight stated, some states have adopted the legislation and that there are variabilities with other states.

No further discussion on S 1056

**MOTION:**

**Senator Noble** made a motion to report out S 1056 with a do pass recommendation. It was seconded by **Senator S Williams**. The motion carried by a voice vote. **Vice Chairman Gannon** will co-sponsor the bill.

**Vice Chairman Gannon** commended Bob Naerebout for attending the  
**Vice Chairman Gannon** adjourned the meeting at 9:40 AM

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Senator Stanley Williams  
Chairman

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Kristen Weitz  
Secretary

## MINUTES

### SENATE AGRICULTURAL AFFAIRS COMMITTEE

**DATE:** February 3, 2005

**TIME:** 8:00 a.m.

**PLACE:** Room 437

**MEMBERS PRESENT:** Chairman Williams (Williams) , Vice Chairman Gannon, Senators Burtenshaw, Coiner, Corder, Broadsword, Stennett, Kelly

**MEMBERS ABSENT/** Absent Chairman Williams, Senator Noble.

**CALL TO ORDER:** Senator Burtenshaw called the meeting to order at 8:00 AM

**GUESTS:** Senator Burtenshaw welcomed Ben Simko, (ISDA), Dave McNeal, (USDA APHIS), Jon Foster, (BLM).

**MINUTES:** **Senator Coiner** moved that the minutes for January 25, 2005 be approved as written. **Senator Broadsword** seconded the motion. By unanimous voice vote the minutes were approved.

**PRESENTATION** Mike Cooper; Bureau Chief, ISDA, introduced: Tom Bailey ISDA, Dave ISDA Grasshopper/Mormon Cricket Suppression Program, 2004 Season Overview. Ben Simko outlined the scope of the program. There are a lot of human resources involved in the extra effort to manage the cricket and grasshopper pest issue in Idaho, in trying to protect the landowner. The federal government has the highest percentage (63.1 %) of land ownership, the private landowner represents 31.6% of the Idaho land area, state landownership represents 5.1%, and city/county land ownership represents 0.2 %. The complicated issue of cricket and grasshopper pest management is dealing with breeding and migration of the pests from public land or private land onto the interface of public lands and irrigation projects and private rangeland. The insects threaten private pastureland, and irrigated crops. The cricket and grasshopper pest management issue is primarily in Southern Idaho.

The damage estimates from studies conducted by the USDA, Montana

Some factors to consider when making a pest management issue decision are the stage of crop development, maturity of the insect, specific conditions of the environment

The pest population density areas indicated in Idaho. (see attached USDA survey map) The ISDA deals predominately with the insects on private and state owned land. According to the USDA survey for the state

of Idaho, dense cricket and grasshopper populations will be in Owyhee county and the Owyhee mountains as well as in Eastern Idaho. Grasshopper populations of 15 or above is significant, a population of eight is used as a threshold for grasshoppers.

The USDA, APHIS survey indicates that in 2004 grasshoppers and mormon crickets infested 2,780,820 total acres of land area. The insects are multiplying on public lands.

Mr. Simko stated there are several types of technology used when dealing with the insects for pest management. For example, ISDA, ranchers, and private land owners use a spreader attached to an ATV to bait the insect, aerial applications are used in a cooperative effort between the applicator, private landowners, state, and federal people in an effort to manage the insects.

The navigational tools in an aerial application allow for the bait and chemical to be selectively applied to infested areas. The Reduced Agent and Area Treatments (RAATS) is a method of integrated pest management (IPM) for rangeland grasshoppers and mormon crickets in which the rate of pesticide is reduced from traditional levels and untreated

The bait products used for pest management are Carbaryl bait, and Dimilin bait. The ISDA has a program that provides bait distribution records for grasshopper and cricket management to the landowners. The critical component is making sure the landowner is compliant with the product label. Senator S Williams asked if the landowner wants to apply for the bait, does the landowner have to go through documentation that the landowner has so many crickets per square yard. Mr. Simko stated the department and landowners work with the local extension agents, and landowners to indicate the number of crickets on the land. There are complaint forms available for landowners with infestations on public and state land. The forms are distributed to the appropriate departments in the state of Idaho. Mr. Simko stated there are distribution sites around Idaho to accommodate the delivery of bait. There was a significant increase in the number of complaints based on bait distribution during the 2003 - 2004 year. The impact to the environment is unpredictable from year to year. The environmental factors will have an impact on the cricket and grasshopper populations.

Mr. Simko reported on some of the major accomplishments of the ISDA::

- 2004 cost share policy.
- Grasshopper program updates to the media.
- Cooperation with IHGA to get emergency bait to alfalfa hay.
- Pre-Season grasshopper program reports at five area meetings.
- Responded to 581 bait requests
- Established a database

(see handout)

Mr. Simko stated within multiple land ownerships there no boundaries set

for the insects, they breed, multiply, and migrate from public land to private land and from private land to public lands, this creates a challenge for pest management control, also, the complexity of the water sheds impinge upon a management strategy.

There were questions and discussion regarding the presentation.

Mr. Simko, ISDA, closed the presentation with handouts. (see attached)

Mr. McNeal, USDA, APHIS, reported that the Plant Protection Act (PPA) gives the Secretary of Agriculture the responsibility to act rapidly in response to grasshopper and mormon cricket outbreaks on rangeland. The Act gives authority to the USDA to control crickets and grasshoppers on federally managed rangeland at the request of the federal land manager, and with the cost share on state and private land at the request of the state ag department. Mr. McNeal stated the program operates as stated in several of the 17 western states that have grasshopper programs. Idaho is unique and fortunate to have an infrastructure in place. The funding received in the form of a grant, and deficiency warrants in the amount of \$ 20 million dollars approved by Congress and dispersed to three states, Idaho, Utah, and Nevada for control of mormon crickets. The funds have allowed the ISDA to develop an infrastructure that is superior and able to respond to the needs of landowners.

Mr. McNeal reported on a proposed rule that could be an important step that determines if APHIS will be able to conduct aerial spray of grasshopper and Mormon cricket treatments in Idaho. The USDA is limited to insecticide choices which are available options to use on rangeland. For the past two years the APHIS Rangeland Grasshopper and Mormon Cricket Suppression Program has been threatened with lawsuits for violation of the Clean Water Act if the APHIS were to select and implement an aerial spray program using liquid insecticides over federally managed rangeland in Idaho. The basis for the threatened lawsuits is a decision by the 9<sup>th</sup> Circuit Court of Appeals regarding a spray program in Oregon. (see attachment)

There was discussion on :

- litigation (former and current)
- 2005 proposals for public review
- environmental assessments of pest infestation
- expenditures
- proposed action

The outbreaks of mormon crickets and grasshoppers are on the increase, not only in Idaho, but, throughout the west. The drought conditions promote the outbreaks from an environmental standpoint.

Jon Foster, Idaho State Office, Bureau of Land Management (BLM) reported the role of the BLM is to work closely with local governmental agencies in agriculture to assist with the development of environmental documents relating to complaints from the landowners and the public.

The complaints from the public are reported to APHIS and the treatment proposals are developed and prepared by APHIS, followed by a report to the BLM. The BLM then reviews the complaint to ensure consistency with the environmental document, the review of the document takes approximately two days or less. The funding scenario for treatment has changed over the years, initially with the PPA, the federal government established a fund for treatment, the initial allocations have dried up at the national level, however, the BLM has some funding in the budget for the environmental analysis. The BLM also provides staff and assistance to the local governmental agencies in Agriculture in and around the state of Idaho.

There were questions following the presentation.

Vice Chairman Gannon apologized for running late. Vice Chairman Gannon thanked the ISDA, USDA APHIS, and the BLM for their time and efforts with the presentation.

**ADJOURN:** Vice Chairman Gannon adjourned the meeting at 9:50 AM

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Senator Stanley Williams  
Chairman

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Kristen Weitz  
Secretary

## MINUTES

### SENATE AGRICULTURAL AFFAIRS COMMITTEE

**DATE:** February 8, 2005

**TIME:** 8:00 a.m.

**PLACE:** Room 437

**MEMBERS PRESENT:** Chairman Williams, Vice Chairman Gannon, Senators Burtenshaw, Noble, Coiner, Corder, Broadsword, Stennett, Kelly

**MEMBERS ABSENT/ EXCUSED:** None

**CALL TO ORDER:** **Chairman Williams** called the meeting to order at 8:05 AM

**MINUTES:** **Senator Corder** moved that the minutes for January 27, 2005 be approved as written. **Senator Kelly** seconded the motion. By unanimous voice vote the minutes were approved.

**Senator Broadsword** moved that the minutes for February 1, 2005 be approved as written. **Senator Kelly** seconded the motion. By unanimous voice vote the minutes were approved.

**RS 14814** **Vice Chairman Gannon** was given the floor to present RS 14814 relating to enact the decision by the committee to reject docket # 02-0602-0402, the committee is advised to reject the rule, there will be a temporary rule written to take its place until the legislative session in 2006.

**MOTION:** **Senator Noble** made the motion to report RS 14814 to print . The motion was seconded by **Senator Coiner**. The motion carried by a voice vote. Vice Chairman Gannon will sponsor RS 14814.

**2004 BUDGET REPORT** Gretchen Hyde; Executive Director, Idaho Rangeland Resources Commission. Ms. Hyde reported on the annual report for the IRRC, commission members and commission advisory members (see attachment). The goals of the IRRC are to increase public understanding that Idaho's rangelands are a renewable source of important consumer products and environmental values. The "Care and Share" campaign which was launched in 2004, was designed to minimize conflicts between recreational users of rangelands and ranchers.

The education program is continuing to see success in providing

materials and programs to Idaho's teachers and students about Idaho's rangelands. The IRRRC is still only receiving a minimal number of requests for refunds (with many out of state contributors). Keeping the support of the contributors will continue to be a priority for the IRRRC.

There was discussion and questions after the presentation.

**PRESENTATION** Mike Quesnell; President, Idaho Dairyman's Association, Bob Naerebout; Executive Director, Idaho Dairyman's Association, Matt Thompson; Lead Engineer, A-Tech Environment and Associates, Dr. Ron Sheffield; Extension Waste Management Engineer, Twin Falls University of Idaho Extension Research Center,

**Mike Quesnell** Mike Quesnell; President, Idaho Dairyman's Association presented an historical synopsis of the Dairy Industry. Mr. Quesnell stated the dairy cow is a precious commodity that contributes to a sustainable industry. The dairy industry continues to take a proactive stance with emphasis on protecting Idaho's water and resources. The Idaho Dairyman's Association has a new independent organization, "Independent Dairy Environmental Action League", which is funded by the dairy farmer's contributing \$ 450,000.00 dollars per year.

**Bob Naerebout** Mr. Naerebout stated the purpose of the IDEAL research program is to conduct research with emphasis on air quality, environmental issues, as well as what is economically feasible for the dairy industry.

**Vice Chairman Gannon** commended Mr. Naerebout for his excellent representation of Idaho at the recent Legislative Agricultural Committee Chairman conference in Memphis. **Vice Chairman Gannon** was proud to be a part of the conference.

**UPDATE IDEAL** Matt Thompson; President, Lead Engineer, A-Tech Environment and Associates. Mr. Thompson reported on the Independent Dairy Environmental Action League (IDEAL) which is a research entity for the dairyman of Idaho, that brings together individuals and groups in a collaborative effort to work together in the best interest of the dairy industry. IDEAL was established by the IDA membership in 2003 to provide financial support for issues related to the dairy industry. In December, 2004, Mr. Thompson reported there was a lot of effort put forth by the Idaho State Department of Ag, and Legislators to get anaerobic digesters in Idaho. Some of the funding was granted through the Natural Resources Conservation Services. Mr. Thompson reported there will be a meeting held with state agencies, and various groups on February 16, 2005 at 10:00 AM in the basement of the Statehouse Inn.

**Dr. Sheffield** Dr. Sheffield was given the floor to present an update to the Committee about the IDEAL research progress. A notebook is on file in the office of the Senate Agricultural Affairs Committee. Dr. Sheffield commended the dairy industry for their leadership and taking a proactive approach with dairy issues.

The research projects conducted by IDEAL, targets specifically, environmental research in the dairy industry with regard to air and water quality research.

Proposed "IDEAL" Air and Water Quality Research:



**Project One:** To evaluate the impact of air quality by installing an anaerobic digester on a dairy in Idaho. The technology that will be used to measure the emissions is referred to as, "Open-Path Air Quality Monitoring". A laser beam (UV Sentry System) detects emissions (compounds) on an open path. The wind speed and temperature can also be detected with this technology.

- Study One: Anaerobic Digestion, using four UV Sentry Units
- Study Two: Manure Incorporation, using four UV Sentry Units
- Study Three: Irrigation BMPs, using two UV Sentry Units
- Study Four: Corral Management, using two UV Sentry Units
- Study Five: Freestyle Manure Management, using four UV Sentry Unit

Dr. Sheffield reported on Gasification, which is an efficient combustion of manure solids, and the amount of heat produced can be used as an energy source. The process demonstrated to sustain a burn at 60% moisture.

Dr. Sheffield reported on another technology that would address nitrogen removal, and stated the technology is a good match with the anaerobic digester. The technology is referred to as: "Reciprocating Wetlands", this technology would be an efficient means to control odor. The energy consumption of this technology is very low, and there is better treatment efficiency with this process.

There was discussion and questions after the presentation.

**Chairman Williams** commended Dr. Sheffield and the dairy industry for presenting to the committee, the current research being conducted and the importance of ongoing research in the dairy industry. The industry is making significant progress in the state of Idaho, we as Idahoans can be proud of the dairy industry.

**ADJOURN**

**Chairman Williams** adjourned the meeting at 9:55 AM

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Senator Stanley Williams  
Chairman

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Kristen Weitz  
Secretary

## MINUTES

### SENATE AGRICULTURAL AFFAIRS COMMITTEE

**DATE:** February 10, 2005

**TIME:** 8:00 a.m.

**PLACE:** Room 437

**MEMBERS PRESENT:** Chairman Williams, Vice Chairman Gannon, Senators Burtenshaw, Noble, Coiner, Corder, Broadsword, Stennett, Kelly

**MEMBERS ABSENT/ EXCUSED:** Absent Senator Noble

**CALL TO ORDER** Chairman Williams called the meeting to order at 8:05 AM

**MINUTES** **Senator Broadsword** moved that the minutes for February 3, 2005 be approved as written. **Senator Kelly** seconded the motion. By unanimous voice vote the minutes were approved.

**IPC BUDGET REPORT** Frank Muir; President, Idaho Potato Commission (IPC). Mr. Muir stated there have been many difficult challenges for the potato industry, with the drought conditions, smaller potatoes and depressed prices, also the anti-carb diets have contributed to the challenges. The IPC has been successful with nutritional campaigns trying to reduce the impact of the anti-carb diets, improving the quality of the potato, and export business expansion. Mr. Muir referred to pg. 13 of the IPC Statement of Revenues and Expenditures.(see handout).

Mr. Muir referred the committee to the handout on the IPC Legislative Financial Report Budget September 1, 2004 - August 31, 2005. The growing conditions for 2004 contributed to a higher yield.

**RS 14941  
RS 14951** **Senator Little** was given the floor to present RS 14941 and RS 14951 relating to Mosquito Abatement Districts. This legislation revises the act to allow for the establishment by the county of interim or emergency abatement districts. The revision will provide for the protection of the public health and welfare and allow the formation of non-contiguous districts. It also provides more budget flexibility by changing the budget growth factor cap of districts from three percent to ten percent. In addition there are several editorial changes.

**DISCUSSION:** **Senator Corder** asked for clarification of the cap from three percent to ten percent. **Senator Little** stated the counties with a low base budget do not have the resources available that the higher base budget counties have in place. That is the reason for two RS's.

**Senator Little** stated it is vitally important to get out ahead of the problem before a crisis occurs.

**TESTIMONY**

Mike Cooper; Bureau Chief, ISDA. The mosquito abatement districts are very limited with the resources they have to work with. The higher budget cap will help the districts keep up with the costs and take advantage of the pest management policies.

**MOTION:**

**Senator Corder** made the motion to send RS 14941 and RS 14951 to print. The motion was seconded by **Senator Broadsword**. The motion carried by a voice vote.

**BUDGET  
REPORT**

Michael Becerra; Manager, Idaho Food Quality Assurance Lab. Mr. Becerra reported on the Legislative Annual Report for 2004. For 2004 approximately 30% more samples were analyzed than any previous year without increasing operating expenses. Effective immediately, the lab will provide soil phosphorus analysis to ISDA for use in the administration of nutrient management plans. In FY 2006, the lab will once again become part of the ISDA. The University of Idaho will continue to provide technical assistance.

Mr. Becerra reported on the future outlook of the lab, stating that funding for the lab is an inexpensive investment that provides significant protection to Idaho Agriculture. For the lab to be successful, it is imperative that it be properly funded. The Governor's budget recommendation is to fund the lab at \$ 80,000.00 dollars/year - a cut of 20% from the original allocation. Refer to the handout for financial summary and projections from FY 2003 to FY 2008.

There were questions and discussion after the presentation.

**ADJOURN:**

**Chairman Williams** adjourned the meeting at 9:20 AM

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Senator Stanley Williams  
Chairman

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Kristen Weitz  
Secretary

## MINUTES

### SENATE AGRICULTURAL AFFAIRS COMMITTEE

**DATE:** February 15, 2005

**TIME:** 8:00 a.m.

**PLACE:** Room 437

**MEMBERS PRESENT:** Chairman Williams, Vice Chairman Gannon, Senators Burtenshaw, Noble, Coiner, Corder, Broadsword, Stennett, Kelly

**MEMBERS ABSENT/ EXCUSED:** Absent Senator Noble

**CALL TO ORDER:** **Chairman Williams** called the meeting to order at 8:05 AM

**MINUTES:** **Senator Corder** moved that the minutes for February 8, 2005 be approved as written. **Senator Gannon** seconded the motion. By unanimous voice vote the minutes were approved.

**GUESTS:** **Chairman Williams** introduced and welcomed Rick Waitley and the Leadership Idaho Agriculture class 24. **Chairman Williams** welcomed Bishop Kelly High School, and Homedale High School students. See sign-up sheet.

**IDAHO BARLEY COMMISSION FY 2004** Kelly Olson; Administrator, Idaho Barley Commission (IBC). Ms. Olson reported on the Current Idaho Barley Industry Trends and Idaho Barley Commission Projects, FY 2004 Budget Summary, FY 2005 Approved Budget. (see handout)

Ms. Olson stated the FY 2005 approved budget of \$ 434,722 dollars is 5% less than in 2004. The revised income projection is \$ 534,718 dollars, based on record 2004 yields. The harvested acres for 2004 barley production were down by 10%, however there was a record statewide average yield of 92 bushels per acre. Ms. Olson reported there is a steady increase toward the malting type barley production from 61% in 2000 to 72 % in 2004 as a result of expansion of malting facilities in Eastern Idaho. The 2004-2005 IBC priorities are to expand markets for Idaho Barley focusing on domestic demand for malting and food barley and specialty feed barleys and export demand for feed and malting barley.

- Expansion of malt plants in Idaho Falls - the Gmodelo Agriculture, Inc. plant is under construction, will be fully operational by Dec. 2005.
- Pursuing food and specialty feed uses.
- TVRR is moving forward with barley fractionation-ethanol plant in

Ontario, Oregon, expected completion in 2006.

Ms. Olson stated the IBC has been exploring opportunities to expand the malting barley exports to Asia and Latin America. The feed barley exports are going mostly to Japan. Due to personnel retirements and funding shortfalls at the University of Idaho the Barley Enhancement Program (BEP) has been discontinued as of 2003. Ms. Olson reported on the newest pest threat, the Haanchen barley mealybug, which caused approximately \$ 5 million dollars worth of crop damage. For 2005, the average mean temperature is mirroring the conditions that could precipitate an outbreak of pests.

**DISCUSSION:** **Senator Gannon** asked if the IBC has had any discussions with the proposed Straw Ethanol Plant in Eastern Idaho. Ms. Olson reported yes, she has been in close contact with the logen group. **Senator Gannon** asked if the logen group has any Ethanol Straw Plants operating anywhere in the area. Ms. Olson reported yes, logen has an experimental plant in Ottawa, Canada, and they are on the cutting edge of developing enzymes to convert cellulose to ethanol.

**IDAHO WINE COMMISSION REPORT:** Bob Corbell; Executive Director, Idaho Wine Commission. Mr. Corbell referred the committee members to pg. 3 of the financial handout. The research and USDA grants are managed through the University of Idaho Research Center in Parma. The water usage has dropped to 75 % less than what it was five years ago. The budget of \$ 153,682 dollars is for 2004. Mr. Corbell referred the committee to pg. 5. The number of wineries in Idaho is increasing, there are approximately 25 wineries in Idaho. The grape growers are scattered primarily in the Canyon County area. Most of the advertising for the Idaho Wine Commission is done in the Idaho Travel Guide. Mr. Corbell stated after the Idaho Wine Commission became a formal Commission, there was legislation introduced asking for 5 % of the wine tax from all wine sold in Idaho to be returned to the Commission for advertising, marketing, and research, the tax is paid on a monthly basis, which amounts to \$.45 cents per gallon. The tax contributes to the funding of the Commission. The cost of putting one acre of grapes in is \$ 13,500 dollars. Idaho is primarily known for white grapes. The consumption of wine in the U.S., overall is higher than it has been in the past.

There were questions and discussion after the presentation.

**Idaho Sugar Beet Growers Association Report (ISGA)** Mark Duffin; Executive Director, Idaho Sugarbeet Growers Association (ISGA). Mr. Duffin reported on the issues relating to sugar consumption, trade issues, sugar beet production, and management of the program. Mr. Duffin stated that in Idaho the sugar beet industry has a \$ 1.1 billion dollar annual economic impact on Idaho's economy. The Amalgamated is locally owned by 1,100 growers, and is the second largest producer of sugar in the U.S. with approximately 10% of the U.S. sugar market. In 2004, there were 207,948 acres harvested, this included a mandatory 5% acreage reduction to accommodate marketing allotments. The crop was a high yielding crop for 2004. Mr. Duffin referred the committee members to the handout showing Idaho's price per ton of sugar beets. The U.S.

beet industry has a marketing allocation program which is set by the USDA. Mr. Duffin referred the committee to the Executive Summary referring to a study based on the economic impacts of sugarbeet production in Idaho. (see handout)

There were questions and discussion after the presentation.

**Chairman Williams** adjourned the meeting at 9:50 AM

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Senator Stanley Williams  
Chairman

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Kristen Weitz  
Secretary

## MINUTES

### SENATE AGRICULTURAL AFFAIRS COMMITTEE

**DATE:** February 17, 2005

**TIME:** 8:00 a.m.

**PLACE:** Room 437

**MEMBERS PRESENT:** Chairman Williams, Vice Chairman Gannon, Senators Burtenshaw, Noble, Coiner, Corder, Broadsword, Stennett, Kelly

**MEMBERS ABSENT/ EXCUSED:** None

**CALL TO ORDER:** **Chairman Williams** called the meeting to order at 8:00 AM

**MINUTES:** **Senator Kelly** made a motion to approve the minutes of February 10, 2005 as written. Motion seconded by **Senator Burtenshaw**. The motion carried by a voice vote.

**GUESTS:** Candi Fitch; Assistant Director, Idaho Apple Commission, and Idaho Cherry Commission, Dick Rush; Vice President of Natural Resources, Idaho Association of Commerce and Industry (IACI). Bishop Kelly High School students (see sign in sheet).

**SENATE PAGE FAREWELL:** **Chairman Williams** read the "Letter of Recommendation", and the "Letter of Appreciation", to the Committee members and Nicole Polatis, Senate Page, Ag Affairs.

**ANNUAL REPORT: APPLE COMMISSION** Candi Fitch; Assistant Director, Idaho Apple Commission. Ms. Fitch gave the annual report to the Committee. Information packets were provided for each Committee member. A copy is on file in the Senate Ag Affairs Committee office.

Ms. Fitch stated the market for 2004 was excellent, the quality was excellent, the apples sized well and had good color, however, the prices were low. Washington had a record crop, 30% larger than last year, this put a lot of pressure on the market for Idaho producers. Ms. Fitch reported on the financial statement, and the proposed budget for 2005-2006 (see handout). The budget does not change a lot from year to year. The crop assessments for the 2005-2006 budget are estimated at \$60,000 dollars. The Commission's focus for 2005 will be on the University of Idaho Research Projects, and trade association memberships. The Idaho Apple Commission is a member of the Buy Idaho and Idaho Preferred.

**DISCUSSION:** **Senator Broadsword** asked how many acres of apples in Idaho are in production. Ms. Fitch was not certain on a specific number.

**Senator Corder** asked what the five year projection on the Idaho apple crop will be, and does the commission predict the decline in the number of boxes to continue. Ms. Fitch does not have a five year projection and stated over the last two years the market appears to be somewhat stable.

**Chairman Williams** asked if the growers are tearing a lot of the older orchards out and replacing them with the newer varieties, and also if that is a common practice in the apple industry. Ms. Fitch reported the producers have been making some changes with apple orchard varieties due to age and change in variety.

**Senator Corder** asked if the Washington apple orchard numbers have declined when compared to the Idaho orchards. Ms. Fitch stated the Washington orchards have declined, but continue to have a strong market presence in the apple industry, and a larger crop of apples.

**ANNUAL  
REPORT:  
CHERRY  
COMMISSION**

Candi Fitch; Assistant Director, Idaho Cherry Commission. Ms. Fitch reported on the 2004-2005 Six Month Financial Statement and the 2005-2006 Estimated Budget. (see handout). Ms. Fitch stated the cherry industry in Idaho is increasing, and in 2004, there was a collection of 2,500 tons of cherries. The growing conditions were good, the volume was good, and the cherries brought a good price on the market. The one problem for the cherry industry, was a shortage of labor, due to the fact that cherries have to be hand picked. The NWCG reported that 2004 was the largest crop in the history of the northwest, with 11,000,000 boxes, which translates to 220 million pounds. Ms. Fitch showed the committee a video about over seas cherry promotions

**Senator Burtenshaw** asked how long cherries can be stored. Ms. Fitch stated the cherry crop is a short storage crop with a small window of time to get the product to market.

**PRESENTATION  
IACI**

Dick Rush; Vice President of Natural Resources, Idaho Association of Commerce and Industry (IACI). Mr. Rush reported that IACI is an organization representing Idaho businesses, focusing year around on dealing with public policy issues important to Idaho's business and industrial community.

The organization's membership include all kinds and sizes of businesses in Idaho. Mr. Rush referred the Committee to the Legislative Agenda booklet (booklet is in Senate Ag Affairs office). Mr. Rush stated that agriculture is a critical part of Idaho's economy and that the agriculture industry and manufacturing industry's are tied closely together. Mr. Rush referred to H230, which refers to, a recent court decision, interpreted portions, of Idaho's air quality rules in a manner that exceeds standards that would be required under federal law. This new court interpretation, requires DEQ to exceed federal requirements when issuing air quality "permits to construct" (PTC). The result of this court action will unnecessarily increase the DEQ's workload, and will increase costs and delays to Idaho businesses when building new facilities. Mr. Rush reported on H 176 which authorizes Idaho's Department of Environmental Quality to report to the Legislature next year on whether the state should take over the waste water program from the federal EPA. The NPDES



permits have been issued by the national EPA.

**Senator Stennett** asked if the judicial action of H230 would be preemptive or undermine some sort of negotiated settlement with issuing air quality permits to the dairy industry. Mr. Rush stated H230 is not an attempt to undermine any sort of settlement or negotiation with issuing air quality permits to dairies in Idaho. Mr. Rush stated there are members of the Idaho dairy industry represented by IACI

**Senator Corder** stated the importance of H230, as it could potentially effect the agriculture industry, and suggested that Mr. Rush be given the time and resources to present more information to the Committee regarding H230. **Senator Gannon** stated it would be appropriate to hear from representatives and industry spokesman in the agriculture industry regarding the impact of H230, and H 176 in the agriculture industry.

**ADJOURN**

**Chairman Williams** adjourned the meeting at 9:30 AM.

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Senator Stanley Williams  
Chairman

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Kristen Weitz  
Secretary

## MINUTES

### SENATE AGRICULTURAL AFFAIRS COMMITTEE

**DATE:** February 22, 2005

**TIME:** 8:00 a.m.

**PLACE:** Room 437

**MEMBERS PRESENT:** Chairman Williams, Vice Chairman Gannon, Senators Burtenshaw, Noble, Coiner, Corder, Broadsword, Stennett, Kelly

**MEMBERS ABSENT/ EXCUSED:** Absent Senator Noble

**CALL TO ORDER:** **Vice Chairman Gannon** called the meeting to order at 8:00 AM

**International Visitors sponsored by ISDA and IDOC** Laura Johnson, Idaho State Department of Agriculture, Bureau Chief, International Trade and Domestic Market Development, introduced the ISDA International Trade Office Managers. Eddie Yen; Idaho-Asia Trade Office Manager, Taipei, Taiwan, Armando Orellana; Idaho Trade Office Manager, Guadalajara, Mexico. Ms. Johnson also introduced support staff for the ISDA and the Idaho Department of Commerce. Ms. Johnson provided a packet of information including the following: Idaho Foreign Trade Offices FY' 2005 Mid-Year Report (July 2004-February 2005), CD-ROM English version, An Introduction to Idaho's Overseas Trade Offices, Idaho Department of Commerce and Labor, ISDA Annual Performance Report Summary, February, 2005, Idaho Department of Commerce and Labor Division of International Business: 2005 Mid Year Performance Report, and a State of Idaho brochure. (Copies of handouts are available in the office of the Senate Agriculture Affairs)

**Idaho-Asia Trade Office** Mr. Eddie Yen; Idaho-Asia Trade Office Manager, Taipei, Taiwan. Mr. Yen has served as Director of the State of Idaho-Asia Trade Office since it opened in 1990. Mr. Yen reported that 2004 was a successful year for the Idaho-Shanghai Trade Office, the number of activities were up, the exports of Idaho goods to China increased 57 % between 2003 and 2004. China is the 4<sup>th</sup> largest export market for the United States, and the 4<sup>th</sup> largest for Idaho overall. One of the successful trade office accomplishments was to assist Boise State University to get a special internship program with IMI, Taiwan, the leading international management ad business Institute in Taiwan. Mr. Yen reported that this was an excellent opportunity for BSU to establish a good name in Taiwan.

A Chinese Company and Idaho State University, College of Pharmacy are in the process of launching a new anti-cancer drug research program utilizing extracts from Chinese mushrooms. Due to promising results, the program is now entering its second phase. Mr. Yen stated the results of this ongoing research are phenomenal.

There were record high exports for Cherries and White peaches to Hong Kong, Indonesia, and Taiwan. The expansion of fast food restaurants overseas has created a increased demand for french fries. Other products being exported to China are grass seed, Mexican food, frozen tortillas, and canned corn.

**Idaho-Mexico  
Trade Office**

Mr. Armando Orellana; Idaho Trade Office Manager, Guadalajara, Mexico. To correspond to Governor Kempthorne's visit to Jalisco, a high level delegation of government officials and business leaders visited Idaho promoting trade, tourism, and culture. The Trade Office assisted establishing communications with the Jalisco government in preparation of the event.

Mr. Orellana reported on the trade office accomplishments:

- Idaho Farm Bureau visited wheat millers from Northern Mexico as part of the wheat promotion.
- Mexican Bean Council and the Mexican Bean Chain System visited Idaho to learn more about the state's bean industry and to prepare for a test trial of Idaho's seeds in Mexico.
- Promotion of farm machinery to the Mexican farmers.

Upcoming business missions and promotions include:

- Governors trade mission to Mexico in October, 2005.
- With the success of the experimental certified bean seed tests the trade office will organize additional tests focusing on the specific needs in the specialized bean production states.
- Mexican cooking shows which will air on TV Azteca and Sabrosas Conversaciones.

**S 1106**

**Senator Little** introduced S 1106 which relates to the mosquito abatement districts, to reference the public health and welfare, to provide that districts need not be contiguous, and to make technical corrections. **Senator Little** reported on issues with the black fly and how the pest is impacting the livestock industry. An outbreak of West Nile Virus would be devastating to Idaho and the legislation relating to mosquito abatement districts would allow districts to take a more proactive approach to treat the black fly and mosquitos.

**Senator Burtenshaw** asked how the treatment is applied. **Senator Little** stated the treatment for black fly and mosquitos has to be strategically applied in the water with a hose, the larvae consume the treatment and die. **Senator Burtenshaw** asked if fly tags work on livestock. **Senator Little** stated that they are not an effective method of treatment for black fly and mosquitos.

Written testimony was submitted by two individuals. A copy of the written testimony is attached.

**Testimony**

Mr. Bob Hays, Nampa Program Specialist, ISDA, stated he works in mosquito and pest control. Mr. Hays reported on the West Nile that mosquitos and birds are hosts for the virus and drought conditions intensify the population.

**Testimony** Jim Martell, Department Superintendent, Canyon County Weed and Gopher Control, stated he supports S 1106 and that the proposed abatement bill will allow Idaho's counties to be ready for any new pest that is declared dangerous. We could either use the emergency feature or establish a long term program as needed. Our counties need this bill now to respond to the West Nile Virus. We need it now to prepare for the next dangerous or costly pest.

**Testimony** Dr. Dan Wingard, Medical Doctor, representing the Canyon County Mosquito Abatement District, stated he supports S 1106. Dr. Wingard stated that Canyon County has had more identification of West Nile than all counties in the state combined, and Canyon County is going to be faced with another outbreak of pests this year. West Nile will cost tens of millions of dollars for healthcare to treat patients infected with West Nile Virus, young people infected with West Nile become disfigured for life, poliomyelitis sets in, and there is neurological damage.

**Testimony** Melanie Tribble, Fruitland, Payette County, supports 1106 and stated she and her husband have been fighting the black flies and mosquitos for several years. The infestations have become unbearable, and the health risk to humans and livestock is ongoing. Ms. Tribble stated as owners of livestock, they have to wear nets over their heads in an effort to protect themselves from the pests. Between the mosquito and black fly problem, the Payette Golf Course has had to spend a great deal of money in an effort to keep the insects from driving away customers.

**Testimony** Senator Noh, retired Senator, stated he supports S 1106, and referred to an article from the Wall Street Journal and a one page handout with a description of the black fly, which were given to Committee members. (see article attachment) Senator Noh stated the West Nile Virus is a much more serious human problem than the medical profession surmised. The Twin Falls County area has had a blackfly problem since 1970 and no one really knew what the pest was at that time. For treatment to be effective, timing for application of the treatment is critical, in order to kill the pest. The Twin Falls County Commissioners on behalf of Senator Noh also support S 1106.

**Testimony** Brian Wilbur; Program Director, Ada County, Noxious Weed Control and Mosquito Abatement. Mr. Wilbur stated the bill does very well to bring the ability for counties to create districts. The bill will also help to develop the districts.

**Testimony** Mr. Fred Tilman; Ada County Commissioner, stated he supports S 1106, and thanked Senator Little for bringing this legislation into this years session. Mr. Tilman stated, the bill gives good management authority to the districts. The legislation provides for good overall planning and management and the bill is a giant step forward for mosquito abatement districts.

**Senator Stennett** asked if Ada County has its own county mosquito abatement district. Mr. Tilman stated yes, Ada County has a mosquito abatement taxing district that covers all of Ada County and that includes the City of Boise.

**Senator Little** urged the Committee to support S 1106, and stated the legislation improves upon the current system, and interjects more local control to the districts.

**Senator Corder** made a motion to report out S 1106 with a do pass recommendation. It was seconded by **Senator Broadsword**. The motion carried by a voice vote.

**Report  
Idaho  
Aquaculture  
Commission**

Harold Johnson; Vice Chair, Secretary, Idaho Aquaculture Commission (IAC) Mr. Johnson reported the 2004 Idaho legislature established the Idaho Aquaculture Commission by passing House Bill 836. The official organizational meeting was held November 30, 2004. Mr. Johnson reported the assessments are due quarterly and collected by the processors then forwarded to the Commission. The Commission anticipates assessment revenue of approximately \$ 2,000 dollars per quarter and \$ 8,000 dollars a year, which is a minimal amount of money for starting purposes. The Commission will apply for grants and in-kind work to develop and promote the Aquaculture industry.

**Senator Stennett** asked if the funding mechanism for the Commission is set up to reflect the value of the product, for example ornamental fish. Mr. Johnson stated the issue has come up and the Committee will deal with this issue as the industry progresses.

**Chairman Williams** thanked the presenters for their time and efforts in reporting to the Committee.

**ADJOURN**

**Chairman Williams** adjourned the meeting at 9:55 AM.

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Senator Stanley Williams  
Chairman

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Kristen Weitz  
Secretary

## MINUTES

### SENATE AGRICULTURAL AFFAIRS COMMITTEE

**DATE:** February 24, 2005

**TIME:** 8:00 a.m.

**PLACE:** Room 437

**MEMBERS PRESENT:** Chairman Williams, Vice Chairman Gannon, Senators Burtenshaw, Noble, Coiner, Corder, Broadsword, Stennett, Kelly

**MEMBERS ABSENT/ EXCUSED:** Absent Senator Noble

**CALL TO ORDER:** **Chairman Williams** called the meeting to order at 8:05 AM

**MINUTES:** **Senator Corder** made a motion to approve the minutes for February 17, 2005 as written. Motion seconded by **Vice Chairman Gannon**. The motion carried by a voice vote.

**INTRODUCTION:** **Chairman Williams** introduced Alyssa Welch from Buhl, Idaho, the new Senate Page for the second half of the 2005 legislative session.

**REPORT: IDAHO SOIL CONSERVATION COMMISSION** Jerry Nicolescu: Administrator, Idaho Soil Conservation Commission. Mr. Nicolescu provided the Committee with handouts (handouts are available in the Senate Ag Affairs Committee office). The Conservation Districts were established in 1939 by District Law - Idaho Code - Title 22-2716-35. There are 51 Soil & Water Conservation Districts in the state of Idaho. The function of the districts is to take available technical, financial, and educational resources, whatever the source, and focus or coordinate them so they meet the needs of the local land user. Supervisors are elected for four-year terms and serve voluntarily without pay.

The Idaho Soil Conservation Commission Members consist of five members appointed to staggered five-year terms by the Governor. The Commission staff is responsible for natural resources program delivery and administrative programs. The Commission is a non-regulatory agency, most of the staff work through conservation districts in the field, providing technical assistance directly to the landowners and supporting project implementation.

Resource Conservation and Rangeland Development Program Loans:

- Current loan balances over \$ 5.5 million dollars in FY 2004.
- Critical acres treated: 2, 366
- Number of loans addressing projects in TMDL areas: eight

Conservation Improvement Grants, for innovative ideas:

- Approved 30 grants originating with 8 of Idaho's Soil Conservation Districts from FY 04 to date.
- Grants will assist landowners with installation of water quality Best Management Practices on Idaho water quality limited water bodies.

**Chairman Williams** asked if the water situation we are facing in Idaho has increased the number of applications for grants. Mr Nicolescu stated yes it has, there was some shifting of the budget to meet the need for grants.

Mr. Nicolescu stated there are a number of funding sources for the more than 40 projects being implemented in the Upper Salmon Basin and Clearwater Focus Program. The primary sources are the United States Fish and Wildlife Service(USFWS) Fisheries Restoration Irrigation Mitigation Act (FRIMA), Pacific Coast Salmon Recovery Fund and/or the Bonneville Power Administration (BPA).

The total budget for FY 2004 - actual was \$ 4,181,800 dollars and the budget proposed for FY 2005 is \$ 4,435,200 dollars. (see handout)

**REPORT:  
IDAHO  
ASSOCIATION  
OF SOIL  
CONSERVATION  
DISTRICTS  
(IASCD)**

Kent Foster; Executive Director, IASCD. Mr. Foster reported the IASCD was established on March 25, 1944. The IASCD is a private non-profit corporation. Idaho's 51 CDs are geographically broken down into six Divisions.

Budget/Funding:

- IASCD General Budget \$ 153,100 dollars
  - a. CDs dues \$400 dollars per CD
  - b. ID Leg. through the SCC \$ 52, 500 dollars
  - c. Agreements & Contracts (5% admin. fee)
- TMDL Agreements/Contracts \$ 1,014,600 dollars:
  - a. Eight agreements (3 CDs, ISDA, SCC, OSC, BPA, & NRCS)

The TMDL Activities/Accomplishments:

- 1995 Court decision: 8 year TMDL schedule (1997-2005) to address 962 impaired water bodies, schedule was revised to terminate at the end of 2007
- Workload: it is estimated that 56 TMDLs will have ag. and/or grazing components

**Senator Burtenshaw** asked how much volunteer time is spent by individuals who are not compensated. Mr. Foster reported there are a lot of volunteers working with the partnership, and on average volunteers spend 200 hours or more a year and are not compensated for their time.

**Chairman Williams** stated the volunteers are doing a lot of good for the communities.

Mr. Foster reported that things seem to be going well, and the IASCD is pretty much on schedule to complete all TMDLs by 2007 as outlined in the court ordered TMDL schedule. (see handout)

**REPORT:  
IDAHO  
ONEPLAN  
(IASCD)**

Wayne Newbill; OnePlan Coordinator, IASCD reported the OnePlan was a multi-agency effort that began in 1994. The University of Idaho owns all the patents for the OnePlan.

The purpose of OnePlan is::

- to gather information from land users
- provide information to the land users
- provide decision support tools
- put conservation on the ground

Mr. Newbill reported the Idaho's "OnePlan Conservation Planning Approach" involves the Conservation Planner as the umbrella with a nutrient management planner, integrated pest management planner, and range management planner. Idaho leads the nation in computer use by farmers, 72 % of ranchers and farmers have access to the internet which is also the highest in the nation.

The Conservation Home Planner Screen on the computer allows the farmer take three easy steps, describe the farm, select conservation practices and e-mail the completed application to there local Soil Conservation District Office. The Planner helps a farmer complete a conservation plan that addresses all applicable local, state, and federal environmental resource conservation requirements. Mr. Newbill reported the most valuable elements of the Conservation Planner are the automated planning software applications and electronic access of information.

There were questions and discussion following the presentation.

**REPORT:  
IDAHO  
AGRICULTURAL  
AVIATION  
ASSOCIATION  
(IAAA)**

Rod Thomas; National Director, Idaho Agricultural Aviation Association. Mr. Thomas reported he is a 35 year ag pilot/aerial applicator. Mr. Thomas presented a brochure to Committee members. Leaders in the aerial application industry, due to emerging concerns about accidents, fatalities, drift incidence, and the aftermath of 9/11, have developed a support system for operators and pilots to participate in professional training, education and accreditation. The result was PAASS: The Professional Aerial Applicators Support System. Mr. Thomas stated it takes a tremendous amount of skill to be an aerial applicator.

Aerial applicators are the most visible user of pesticides and most directly involved with the aerial applicator industry. Mr. Thomas reported on the importance of secondary containment referring to a 10 year old rule.

**Senator Kelly** asked how many ag pilots/aerial applicators are represented by the Association. Mr Thomas stated about 40 % of aerial applicators are represented by the association. The IAAA is currently, the only recognized industry association at the state and national level.

**ADJOURN**

**Chairman Williams** adjourned the meeting at 10:00 AM



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Senator Stanley Williams  
Chairman

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Kristen Weitz  
Secretary

## MINUTES

### SENATE AGRICULTURAL AFFAIRS COMMITTEE

**DATE:** March 1, 2005

**TIME:** 8:00 a.m.

**PLACE:** Room 437

**MEMBERS PRESENT:** Chairman Williams, Vice Chairman Gannon, Senators Burtenshaw, Noble, Coiner, Corder, Broadsword, Stennett, Kelly

**MEMBERS ABSENT/ EXCUSED:** Excused **Senator Stennett**

**CALL TO ORDER:** **Chairman Williams** called the meeting to order at 8:05 a.m.

**INTRODUCTION:** **Chairman Williams** welcomed Deana Sessions, Administrator, Idaho Dairy Products Commission, John Chatburn, Deputy Administrator, ISDA, Rick Waitley, Executive Director, Idaho Canola/Rapeseed Commission, and Ty Iverson, Administrative Assistant, Idaho Canola/Rapeseed Commission.

**REPORT: IDAHO DAIRY PRODUCTS COMMISSION** Deana Sessions; Administrator, Idaho Dairy Products Commission. Ms. Sessions provided an update of the Commissions financial status, information on dairy checkoff programs and the 2004 Idaho dairy facts. Assessment revenue increased \$ 321,000 dollars while expenses decreased \$ 114,000 dollars resulting in a net operating income of \$ 1,166,000 dollars. The Commissions's net assets increased by approximately \$ 1,183,000 dollars due primarily to financial investments in order to identify emerging market opportunities to increase product consumption. The Commission's activities are milk production driven and all expense budget items are directly dependent on the annual milk production mandatory checkoff assessment.

Ms. Sessions reported there is a projected 3% production increase for 2005. The projected increase in 2005 would result in an assessment of approximately \$ 9.9 million dollars.

Idaho Dairy Facts:

- growth in agriculture can be attributed to a shift from crop to livestock - milk and cattle.
- Idaho is the 2<sup>nd</sup> largest milk producing state in the twelve western U.S. states and ranks 5<sup>th</sup> overall in the U.S.
- Approximately 40.1 million gallons of Idaho produced milk is processed into fluid for drinking.

Action for Healthy Kids was launched at the Healthy school summit in October of 2002 to advance sound nutrition and physical activity practices in schools across America. It was mandated that all schools have a wellness policy in place by 2006. The Idaho Board of Education and the

Superintendent of Public Instruction endorse this program.

United Dairymen of Idaho intend to be a catalyst in meeting consumer needs and building demand for dairy products and ingredients.

**Senator Burtenshaw** asked if from 1970 to 2005 if the genetics and breeding of cows has increased the production of milk. Ms. Sessions stated yes, the genetics and breeding of cows has contributed to the increase in the production of milk over the years.

#### H 34

John Chatburn, Idaho Department of Agriculture, was given the floor to present H 34, relating to powers and duties of the department of agriculture. Mr Chatburn stated H 34 would provide the ISDA with civil penalty authority for Chapter 2 of Title 25 of the Idaho Code. In Chapter 2 is the chapter of the Idaho Code where the ISDA receives its general disease control authority, it also contains the statute for regulation of dead animal movement and disposal. The dead animal movement and disposal section of chapter 2 already has the same civil penalty authority in it. The department of Ag over the last four years has received this authority for Chapter 6, Title 25, which is the Bangs Law that governs Brucellosis and for deleterious exotic animal law the legislature passed a few years ago. The H 34 would provide the Department of Agriculture with the authority to assess a civil penalty of not more than \$5,000 dollars per violation for violations of Chapter 2. The bill also contains language for administrative procedures, and how a producer in violation is allowed for appeals and hearings. In section 2, which is included in all the Department of Ag civil penalty authorities, clearly states that the director is not required to bring forward for prosecution minor violations that the director believes would be better dealt with in another matter.

#### COMMITTEE DISCUSSION:

**Senator Broadsword** asked for clarification of lines 27-30 and referred to lines 27-30 of H 34, "moneys collected for violations of this chapter, or rules promulgated under this chapter, shall be deposited in the state treasury and credited to the livestock disease control and T.B. indemnity fund". Mr. Chatburn stated the livestock disease control and T.B. indemnity fund is the ISDA's dedicated fund that pays for disease surveillance and regulation for all animals within the state of Idaho.

**Senator Corder** asked why the violation is set at \$5,000 dollars, and why does it not escalate with repeated violations. Mr. Chatburn stated that currently the disease control civil penalties at the department of ag are set at \$ 5,000 dollars maximum civil penalty, and it would be more appropriate to stay with the same civil penalty and language for the Burcellosis Law, and the Dead Animal Disposal Law.

**Vice Chairman Gannon** asked if the Port of Entry cooperates with the ISDA. Mr Chatburn stated the ISDA works closely with the Port of Entry, and the Department of Transportation to make sure the animals meet the import requirements for the state of Idaho.

#### TESTIMONY

Lloyd Knight, ICA, supports H 34, which is an important piece of

legislation for the ISDA.

**MOTION:** **Senator Corder** made a motion to report out H 34 with a do pass recommendation. It was seconded by **Senator Noble**. The motion carried by a voice vote. **Senator Corder** will carry H 34.

**H 170** Ty Iverson, Idaho Canola/Rapeseed Commission, was given the floor to present H 170 relating to the Idaho Canola and Rapeseed Commission. Since the commission was formed in 1996, the commission has been collecting an assessment of \$.10 cents per hundredweight on all oilseed crops in Idaho. It was recommended by the Legislative Auditing Services that the commission consider a biannual audit of the financial report, with each year being treated independently. H 170 makes the necessary changes in Idaho Statute to implement this procedure as requested by the auditor's office. It is important to note that this legislation reserves the right of the state to audit the commission at any time. Mr. Iverson reported that H 170 passed the Idaho House of Representatives on February, 18, 2005 by a vote of 65-0.

**TESTIMONY:** Mr. Waitley, Executive Director, Idaho Canola/Rapeseed Commission, supports H 170 and stated that the legislation is simple and straightforward.

**COMMITTEE DISCUSSION:** **Senator Burtenshaw** asked if the industry is growing or shrinking based on the assessments. Mr. Iverson reported the amount of acres produced is dependent on the assessment and the crop is a rotation crop, the price is dependent on wheat and barley, and the canola/rapeseed market appears to be stable.

**Senator Burtenshaw** asked what a high yield would be on canola/rapeseed . Mr. Iverson reported he has heard different reports regarding irrigated and dry land seed. The yield on dryland canola/rapeseed can be anywhere from 800 - 2000 pounds per acre. In Northern Idaho the seed can bring in 1100-1200 pounds per acre. The yields vary in Idaho.

**Senator Coiner** stated he has grown canola seed under irrigation and has yielded 4000 pounds per acre on winter varieties, during an exceptional year. Some of the Spring varieties under irrigation will yield 2400 - 3200 pounds per acre. The canola seed production price has been around \$ 20 dollars.

**MOTION:** **Senator Broadsword** made a motion to report out H 170 with a do pass recommendation. It was seconded by **Senator Noble**. The motion carried by a voice vote. **Senator Broadsword** will carry H 170.

**ADJOURN:** **Chairman Williams** adjourned the meeting at 9:00 a.m.

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Senator Stanley Williams  
Chairman

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Kristen Weitz  
Secretary

## MINUTES

### SENATE AGRICULTURAL AFFAIRS COMMITTEE

**DATE:** March 3, 2005

**TIME:** 8:00 a.m.

**PLACE:** Room 437

**MEMBERS PRESENT:** Chairman Williams, Vice Chairman Gannon, Senators Burtenshaw, Noble, Coiner, Corder, Broadsword, Stennett, Kelly

**MEMBERS ABSENT/ EXCUSED:** None

**CALL TO ORDER:** **Chairman Williams** called the meeting to order at 8:00 a.m.

**MINUTES:** **Senator Broadsword** made a motion to approve the minutes of February 15, 2005 as written. Motion seconded by **Senator Kelly**. The motion carried by a voice vote.

**Senator Burtenshaw** made a motion to approve the minutes of February 22, 2005 as written. Motion seconded by **Senator Broadsword**. The motion carried by a voice vote.

**UPDATE: IDAHO AGRICULTURE IN THE CLASSROOM (AITC)** Rick Waitley; State Director, Idaho Agriculture in the Classroom. Mr. Waitley was given the floor for an update on the program, and handed out packets of information pertaining to AITC. (Packets are available in the Ag Affairs Committee office). Mr. Waitley reported the AITC curriculum is currently affiliated with grades K - 12 with activity guides available for grades K-12. There have been approximately 3,600 teachers over the years trained at summer workshops, and in-services specifically designed for teachers. Mr. Waitley stated there are three different funding mechanisms for the AITC:

1. Line -item through JFAC through the Department of Agriculture budget annual allocation, in the amount of \$ 24,800 dollars, and the program is endorsed by the Department of Agriculture.
2. Idaho Agriculture Specialty License Plate fund.
3. Organizations and Individual members of the AITC membership.

The AITC spends a great deal of time developing curriculum for teacher workshops. Mr. Waitley referred to the Farm Service Agency USDA activity booklet, and the Idaho Bluegrass Production Elementary Activity Booklet, also the water slide rule, showing the water facts on how much water we use, and how much water it takes to produce various foods. Mr. Waitley presented each committee member with a CD-ROM, titled "Scenes of Science", which will teach students the important role of agriculture and science. There will be six teacher workshops offered throughout Idaho during the Summer of 2005.

Mr. Waitley referred to the handout with a list of agencies that have experts to enlighten teachers on specific subjects, during 2004 agencies participating, United Dairymen of Idaho, Idaho Beef Council, ISDA Marketing Division, and the Idaho Ag Statistical Service. Mr. Waitley reported there are a lot of types of college careers in agriculture, the AITC is an exciting way to motivate students and promote education. (Folder with handouts are available in the Agricultural Affairs Committee office).

**REPORT:  
IDAHO BEAN  
COMMISSION  
(IBC)**

Diana Caldwell; Administrator, Idaho Bean Commission was given the floor to present the annual report to Committee. ( A copy of the report is on file in the Agricultural Affairs Committee office). The bean yield in Idaho for 2004, was 2,100 pounds per acre. Beans rank 7<sup>th</sup> as the most valuable crop in Idaho for 2003. The estimated value to the state was \$ 37 million dollars. Idaho represented 10% of the bean crop production for 2004. There are concerns with the drought that there is some reluctance for producers to plant beans this year, however, there are indications the bean market will be strong for pinto and navy beans. Idaho dry bean production for 2004 indicates that pinto production was 36 %, and pink production was 16 %.

The IBC budget for FY 2005 which includes grant monies:

- 39% Administration
- 30% Bean Seed Promotion
- 22% Research
- 9% Food Promotion

The IBC will continue to promote trade relations with Mexico, and encourage Idaho dealers to capitalize on new opportunities for exports of beans.

**REPORT:  
IDAHO SHEEP &  
WOOL  
GROWERS  
ASSOCIATION  
COMMISSION**

Stan Boyd; Executive Secretary, Idaho Sheep Commission was given the floor to present the annual report to Committee. The Idaho Sheep Commission is under the auspices of the Division of Animal Industries, Idaho Department of Agriculture. The current assessment on wool produced by Idaho Wool Growers is eight cents per pound. The assessment is collected at the time of sale by the wool buyer and is remitted to the ISC office on a quarterly basis.

- three cents per pound of wool goes to the Idaho regulatory animal program for sheep.
- three cents per pound of wool goes to the Idaho Animal Damage Control program.
- two cents per pound of wool goes to the Sheep Research, Education and Promotion Program.

The revenues brought in by the Idaho Sheep Commission are very dependent on the current market of wool. Income to the commission for the promotion program for the current fiscal year is estimated to be about \$ 42,000 dollars. On January 1, 2004, Idaho ranked 7<sup>th</sup> in the nation for total number of breeding stock, and 8<sup>th</sup> in the nation for the production of wool. Currently, wool is bringing in about \$. 70 cents to \$ 1.00 dollar per pound, depending on the grade of the wool. (A copy of the report is on file in the office of Agricultural Affairs Committee).

There was discussion regarding packing facilities, processing plants, and feedlots. Mr. Boyd stated, the number one packer in the U.S. is Superior Farms, which is a privately owned corporation, and 60 % of the lambs are processed at this plant. There are a few big feedlots in the U.S., but the feedlots in Idaho are smaller.

**PRESENTATION  
GARVEE  
BONDING**

Chuck Winder; Chairman, Idaho Transportation Board was given the floor to present to the Committee an update on Garvee Bonding. (The report is on file in the Ag Affairs Committee office). Mr. Winder reported that Garvee bonds are a tool to leverage federal dollars and will require the same due diligence that is demanded for the funding of any federal highway project: it must be part of a fiscally constrained program. In addition, the bond issuances would be potentially staggered over nine years, providing flexibility necessary to make decisions based upon current factors. Since 1998, 16 states have leveraged their Federal Highway Money using Garvee Bonds.

The Connecting Idaho Garvee investments would involve construction on SH-16 Extension, U.S. 20, U.S. 30, SH -75, I-84, U.S. 93, U.S. 95. (See page 2, of booklet. The construction project would have a \$ 4.6 billion dollar benefit to Idaho's economy. Mr. Winder stated that the construction project and investment benefits will have a significant impact on Idaho's economy, and improve Idaho's roadway's. The first bond is anticipated in January, 2006, the final bond to be issued in 2014, and final debt-service payment in 2032. The Idaho Transportation Board's long-range plan emphasizes the importance of completing four-lane highways through key corridors.

There was committee discussion and questions following the presentation.

**ADJOURN:**

**Chairman Williams** adjourned the meeting at 9:40 a.m.

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Senator Stanley Williams  
Chairman

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Kristen Weitz  
Secretary

## MINUTES

### SENATE AGRICULTURAL AFFAIRS COMMITTEE

**DATE:** March 8, 2005

**TIME:** 8:00 a.m.

**PLACE:** Room 437

**MEMBERS PRESENT:** Chairman Williams, Vice Chairman Gannon, Senators Burtenshaw, Coiner, Corder, Broadsword, Stennett, Kelly

**MEMBERS ABSENT/ EXCUSED:** One Committee seat vacant.

**CALL TO ORDER:** **Chairman Williams** called the meeting to order at 8:05 a.m.

**INTRODUCTION:** **Chairman Williams** welcomed Dick Rush; Vice President, IACI, representatives from various agencies, and the New Plymouth High School Government Class to committee.

**MINUTES:** **Senator Coiner** made a motion to approve the minutes for February 24, 2005 as written. Motion seconded by **Vice Chairman Gannon**. The motion carried by a voice vote.

**COMMITTEE BUSINESS:** **Chairman Williams** opened the floor for discussion about touring the University of Idaho Caine Veterinary Teaching Center in Caldwell, Idaho or have Rich Garber report to our Committee about the programs and progress at the Caine Teaching Center. It was the consensus of the Committee members to tour the facility with Rich Garber; Director of Government Affairs, University of Idaho.

**IACI H 176 CONTINUATION & DISCUSSION FROM FEBRUARY 17 MEETING** Dick Rush; Vice President, IACI was given the floor to continue discussion regarding H 176 and H 230 regarding the impact of the legislation on the agricultural industry. H 176 passed in the House 34-0. Mr. Rush stated the legislation assists the DEQ in conducting a study and report back to the legislature to determine if the waste water permits (NPDS) should be handled by the state or the EPA which is a primacy issue.

**Senator Burtenshaw** asked why a CAFO that doesn't discharge into U.S. waters needs a permit and asked if the permit was to allow discharge into navigable waters. Mr. Olmstead; Executive Director, Milk Producers of Idaho, reported the CAFO industry has traditionally been in an interesting position to get discharge permits to not discharge. On February 28, 2005, the Second Circuit Court Of Appeals determined the rules were arbitrary, and that operations that do not threaten navigable waters do not have to apply for an NPDS permit and the rules will be re-done. The court did rule that NMP's are condition controlled more than waste management and are subject to public scrutiny.



## IACI H 230 DISCUSSION

Mr. Rush was given the floor to discuss H 230. Mr. Rush reported on the issue that industry is concerned about, and the legislature has consistently voted on is, that we should not have environmental rules more stringent than federal rules unless the legislature determines that is necessary. The issue concerning agriculture relates to a court decision by the Idaho U.S. District Court, signed on September 27, 2004, a suit brought to court by the Idaho Conservation League against the K and W Dairy. Mr. Rush stated that IACI interpreted the decision to involve all of industry in getting a permit to construct to include fugitive emissions. The judge the court recognizes the interpretation of the decision contradicts the DEQ's interpretation of its own regulations. The courts interpretation will result in an increased workload for the DEQ, and could have drafted the regulations excluding fugitive emissions from the definitions of a regulated air pollutant. The questions from the meeting on February 17, 2005 in Senate Ag Affairs were directed at how this agreement impacts the dairy industry and the agreement between the ICL and the K and W Dairy impacts the dairy industry.

**Senator Kelly** asked if the DEQ did in fact indicate their support for H 230. Mr. Rush stated, yes they have indicated their support for H 230.

**Senator Stennett** asked for Mr. Rush's opinion on the undertone of the lawsuit filed by the ICL against the K and W Dairy, and will that have a net effect on reversing the court ruling for the dairies ability to construct based on fugitive emissions, which seems to be the undercurrent, and why is the bill here if that is not the reason. Mr. Rush stated he did not mean to say this was not an attempt to overturn the court decision. The case has been dismissed and the ruling still stands. The parties of the lawsuit have reached an agreement. From IACI's perspective the court decision impacts everyone applying for a permit to construct even though the rest of industry was not involved in the lawsuit.

Ms. McLean, Idaho Conservation League, reported the ICL opposes H 230 and presented reasons why the ICL opposes this legislation. Ms. McLean made comparisons between dry lot dairy, scrape dairy and wet flush dairies to air quality, ammonia was the pollutant monitored.

**Senator Kelly** asked if feedlot dust at 2.5 ppm is considered a fugitive emission, and if the legislation would take away consideration of fugitive emissions from determining whether or not a facility would need a permit or not. Bill Eddy, Attorney, ICL, stated that dust from feedlots is a source of fugitive emissions, and can contribute to air quality. The DEQ has a separate way of regulating emissions, there is an existing mechanism to deal with the emissions.

Mr. Ken McClure, attorney, Idaho Dairy Industry, reported the Idaho Dairy Industry will continue to work with the ICL in a negotiated rule making process and the Dairy Industry will continue to take a proactive approach in dealing with air quality issues.

Dick Rush wrapped up the discussion with closing comments and thanked agency and organization representatives for attending the informational Committee meeting.

**ADJOURN:**            **Chairman Williams** adjourned the meeting at 9:35 a.m.

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Senator Stanley Williams  
Chairman

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Kristen Weitz  
Secretary

## MINUTES

### SENATE AGRICULTURAL AFFAIRS COMMITTEE

**DATE:** March 10, 2005

**TIME:** 8:00 a.m.

**PLACE:** Room 437

**MEMBERS PRESENT:** Chairman Williams, Vice Chairman Gannon, Senators Burtenshaw, Seat vacant, Coiner, Corder, Broadsword, Stennett, Kelly

**MEMBERS ABSENT/ EXCUSED:** None

**CALL TO ORDER:** **Chairman Williams** called the meeting to order at 8:00 a.m.

**MINUTES:** **Senator Kelly** made a motion to approve the minutes for March 1, 2005 as written. Motion seconded by **Senator Broadsword**. The motion carried by a voice vote.

**H 33** Laura Johnson, ISDA, was given the floor to present H 33 relating to smoke management and crop residue disposal. Ms. Johnson stated the bill defines the term, "economically viable alternative", in the smoke management act, and it does not change the current law regarding the crop residue disposal. The reason the bill is important, is to define the term, "economically viable alternative" in the statute, because of the threat of continuous litigation. Without definition of the term in statute, a judge could step in and define the term for the ISDA. The department believes the issue would be better addressed in the legislature. During the month of March, 2005, Judge Woodland ruled on a case in First Judicial District, as a direct quote: " the Legislature has not required the grass seed farmers, to which the act applies, to only break even or to impair their incentive to remain in business. The interpretation of the Director is reasonable".

Ms. Johnson stated it is important to consider the return over both the short term and the long term. The Food Producers of Idaho, Farm Bureau, ISDA, and Nez Perce Prairie Grass Growers support H 33.

**COMMITTEE DISCUSSION:** **Vice Chairman Gannon** asked if crop rotation is done with the blue grass seed fields. Ms. Johnson stated yes, wheat is a common crop rotation in that region.

**Senator Broadsword** asked if the grass growers were being subsidized. Ms. Johnson stated the growers in North Idaho pay \$ 2 dollars per acre for the support of the smoke management program.

**Senator Burtenshaw** asked if there are any other viable alternatives for burning. Ms. Johnson stated the alternatives are primarily mechanical, for

example, baling and harvesting residue, however, those alternatives are viable for a producer over the short term, not over the long term of the crop. The University of Idaho continues to research extensively, alternatives to field burning, and the ISDA Specialty Crop Program put \$ 200,000 dollars into the University of Idaho's extensive research program, the research is ongoing. Field burning is still the only economically viable method.

**Senator Broadsword** asked for clarification of turf grass field burning, and if that is done to get rid of the residue and disease. Ms. Johnson stated there are three main agricultural objectives that are achieved through field burning:

1. Dispose of crop residue.
2. Develop the physiological conditions that are conducive to increased crop yields.
3. Control disease and pests.

The three objectives are stated in the current statutes.

**Senator Burtenshaw** stated the field burning law passed a couple of years ago has been in court litigation over the constitutionality of the law, and asked if Mr. Johnson knew anything about the decision. Ms. Johnson stated the most recent ruling of Judge Woodlands, was specifically in regard to the directors determination of "economically viable alternatives", to field burning.

**TESTIMONY:**

Rick Waitley: Executive Director, Food Producers of Idaho, Mr. Waitley is also representing the Nezperce Prairie Grass Growers Association in support of H 33. There are approximately 140 different Nezperce Prairie Grass Grower producers, located in the counties of Idaho, Nezperce, Clearwater, Lewis, and Latah.

Lauren McClean; ICL, opposes H 33, and stated the committee needs to look at the whole picture as to whether or not something is economically viable.

Dennis Tanikuni; Assistant Director Public Affairs, Idaho Farm Bureau Federation supports H 33. Idaho Farm Bureau submitted comments to Director Takasugi on April 26, 2004 stating that when compared with the "NO -BURN" alternative, burning is the most economically viable means of crop residue disposal.

Linda Clovis, Representing the Farmers of North Idaho, supports H 33 and referred to a handout showing data trends of daily PM 2.5 Concentrations Coeur d' Alene Site, 1999-2003, Official Data Air Quality Index Break Points, (see attachment). Ms. Clovis stated that 95 % of the Kentucky Bluegrass in the world is grown in the Pacific Northwest.

Dar Oberling, Idaho Grain Producers, supports H 33, and has been involved with the issue for a number of years, and would appreciate Committee support on H 33.

Representative Jones; Chairman, House Ag Affairs, supports H 33, and stated the legislation presented to Committee is referring only to the definition section, and putting into statute, the definition the director has used for the past two to three years.

There are significant penalty sections in the statute for non-compliance:

1. first year penalty is loss of burning privilege for up to a full year
2. the second violation is up to a \$ 10,000 dollar fine.

There are significant incentives to participate in the program and it has worked well. The number of complaints have gone down.

**ORIGINAL  
MOTION:**

**Senator Corder made the motion to report out H 33 with a DO PASS recommendation. The motion was seconded by Senator Coiner**

**COMMITTEE  
DISCUSSION ON  
ORIGINAL  
MOTION:**

**Senator Kelly** stated the legislature put in place, the requirement that the director of The Department of Agriculture to look at economically viable alternatives when determining whether or not field burning should be allowed. The department has interpreted that to be a fairly narrow economic examination, to look at whether or not the farmers can make a profit or not by the alternative.

**Senator Corder** agrees with **Senator Kelly**, but, disagrees with whether or not this statute will be sufficient, or has the DEQ already made the assessment, and the air quality act.

**SUBSTITUTE  
MOTION:**

**Senator Stennett made a substitute motion to hold H 33 in Committee.  
Senator Kelly seconded the motion.**

**COMMITTEE  
DISCUSSION ON  
SUBSTITUTE  
MOTION:**

**Senator Stennett** stated that the costs to the community as a whole need to be considered, and a better definition needs to be drawn up, this bill should not pass in Committee.

**ROLL CALL  
VOTE ON  
SUBSTITUTE  
MOTION:**

**The Chairman called for a roll call vote on the substitute motion.  
Ayes - Senators Stennett, Kelly  
Nay - Senators Burtenshaw, Coiner, Corder, Broadsword, Williams,  
Gannon  
The motion failed by six nays to two ayes.**

**ROLL CALL  
VOTE ON  
ORIGINAL**

**The Chairman called for a roll call vote on the original motion.  
Ayes - Senators Burtenshaw, Coiner, Corder, Broadsword, Williams,  
Gannon**

**MOTION:**                   **Nays - Senators Stennett, Kelly**  
**The motion carried by six ayes to two nays to report out H 33 with a**  
**Do Pass recommendation.**  
**Senator Corder** will carry the bill.

**H 36**                   Representative Jones was given the floor to present H 36, H 37, H 38 to  
**H 37**                   Committee. The state of Idaho has already incorporated legislation  
**H 38**                   similar to this dealing with preemption with pesticides about ten years  
ago. The bills deal with commercial fertilizers, soil and plant amendments,  
and pure seed law. The legislation is moving ahead across the country,  
particularly with the fertilizer piece of legislation, and is currently in place  
in four other states. Legislation is pending in four other states including  
Idaho, and being introduced in four additional states this year. The  
Kansas House of Representatives passed legislation 123-0 one week  
ago. The legislation is being supported by national agricultural  
organizations, and makes good sense for Idaho to maintain the regulation  
at the state level, where Idaho has the expertise already in place.

**COMMITTEE**               **Senator Broadword** asked by including applications in the legislation,  
**DISCUSSION:**           what are the options left to local governments if an application would  
endanger a water source or contribute to a health problem.  
Representative Jones stated there are clean water requirements that do  
not allow run-off of materials and some communities are required to have  
water permits to make sure the run-off does not occur. There are a  
variety of methods to deliver an application.

**Senator Corder** asked for clarification of regulation, that it has to do with  
preventing local counties or political subdivisions from adopting  
regulations that would have to do with, perhaps, applications that would  
be different from the state regulations that have already been established.  
Representative Jones, yes that is correct.

**Senator Stennett** asked if there is anywhere in the Code for fertilizer  
where it is defined. Representative Jones deferred the question to Mike  
Cooper, ISDA, and Mr. Cooper stated the definition is in the definition  
Code itself.

**TESTIMONY:**           Suzanne B. Schaefer, Monsanto Company, supports H 36, H 37, H 38  
which address the question of what level of government is best equipped  
to assure the safety and security of food and fiber production of America.  
(see attachment)

**TESTIMONY:**

Rick Waitley; Executive Director, Food Producers of Idaho, Inc., also representing Idaho Cooperative Council, Inc., and Idaho Alfalfa & Clover Seed Growers Association, supports H 36, H 37, H 38. In regards to H 36, the Idaho Cooperative Council, Inc., represents local and regional agricultural cooperatives throughout the state and supports H 36, related to prohibiting local control and regulation of fertilizer in Idaho. H 36 does not preempt local zoning ordinances on siting of facilities manufacturing, storing, or selling fertilizer products. The Food Producers believe H 37 is a necessary measure in keeping regulations consistent across the state for soil and plant amendments. The Idaho Alfalfa & Clover Seed Growers Association supports H 38. The legislation is an important measure in protecting the integrity of the Idaho seed industry. (see attachments)

Bob Trudell; Producers Supply Cooperative, representing Scott McKinnie; Executive Director, Far West Agribusiness Association, supports H 36, H 37, H 38. Far West Agribusiness Assoc. represents the interests of the fertilizer and agrichemical industry in five Pacific North West states, including Idaho. (see attachment)

Robbin Finch; Water Quality Manager, Boise City Public Works, representing Association of Idaho Cities, and the City of Boise, oppose H 36, H 37. The legislation would eliminate the possibility for local control of fertilizers and soil amendments that contain pollutants of concern if discharged to surface and groundwater. (see attachment)

Jerry Deckard, Capital West Public Policy Group, representing the Ada County Highway Districts, opposes H 36, H 37, H 38. (see attachment)

Justin Ruen, Association of Idaho Cities, opposes H 36, H 37, H 38, and stated concern that the legislation would be a comprehensive preemption of local authority, and because of that, there may be some unintended consequences that would be harmful.

Mr. Cooper, ISDA, supports H 36, H 37, H 38 and stated this type of legislation has passed in a number of other states with the same water quality issues, it is not the intention of the legislation to get between the cities ability to work with the EPA.

There was Committee discussion following the testimony. (see attachments of testimony)

On request by **Senator Burtenshaw** that H 36, H 37, H 38 be held in Committee for one week, in order to determine if there needs to be amendments and further discussion to work out the differences with the legislation. **Granted by unanimous consent.**

**ADJOURN**

**Chairman Williams** adjourned the meeting at 10:05 a.m.

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Senator Stanley Williams  
Chairman

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Kristen Weitz  
Secretary



## MINUTES

### SENATE AGRICULTURAL AFFAIRS COMMITTEE

**DATE:** March 15, 2005

**TIME:** 8:00 a.m.

**PLACE:** Room 437

**MEMBERS PRESENT:** Chairman Williams, Vice Chairman Gannon, Senators Burtenshaw, Seat vacant, Coiner, Corder, Broadsword, Stennett, Kelly

**MEMBERS ABSENT/ EXCUSED:** None

**CALL TO ORDER:** **Chairman Williams** called the meeting to order at 8:00 a.m.

**MINUTES:** **Senator Broadsword** made a motion to approve the minutes for March 3, 2005 as written. Motion seconded by **Senator Kelly**. The motion carried by a voice vote.

**Senator Corder** made a motion to approve the minutes for March 8, 2005 as written. Motion seconded by **Senator Kelly**. The motion carried by a voice vote.

**H 38** Representative Jones was given the floor to present H 38 to Committee. The legislation has to do with regulation of seed. Certain counties have passed ordinances that don't allow the producer to grow certain types of seed. Representative Jones referred the committee to a brochure, "Why Certified Seed?". (brochure available in Senate Ag Affairs office). Idaho already has a well established seed industry. The Idaho Crop Improvement Association is recognized as one of the best organizations in the country, and represents one of the nations largest seed quality control programs. Seed is an important commodity in Idaho, there are designated areas where certain types of seed can be produced and this maintains the quality of crops grown in Idaho. Idaho has four unique growing regions in the state and these regions can provide isolation. Idaho has a good regulatory system in place. The legislation will ensure that the system remains intact.

**MOTION:** **Senator Coiner** made the motion to report out H 38 with a do pass recommendation. The motion was seconded by **Senator Broadsword**. The motion carried by a voice vote. **Senator Coiner** will carry H 38.

**REPORT:** Jim Little; Chairman, Idaho Alfalfa and Clover Seed Commission was given the floor to report on the Idaho Alfalfa and Clover Seed Commission. The seed Commission represents growers in predominately southwestern Idaho and the Magic Valley. In fiscal year 2004, Idaho produced approximately 9,970,326 pounds of alfalfa and clover seed. The current assessment for the seed is \$ 0.0035 cents per pound. The Commission is currently receiving assessment payments

from a total of 13 dealers in Idaho. The Commission has three members who serve in District 1 and three who serve in District II. In June, 2004, Governor Kempthorne appointed Jim Briggs, Marsing, Idaho and Mike Nichols, Parma, Idaho, to three-year terms on the Commission. Idaho funded four research/education projects in 2004, (see report). Idaho is the second largest alfalfa seed producing state behind California and is the leading producer of winter hardy alfalfa seed. The growing dairy industry in Idaho has placed a demand on high quality forage crops.

**Senator Burtenshaw** asked where the leafcutter bees come from. Mr. Little stated the bees come mostly from Canada.

**Chairman Williams** asked what is happening with regards to Genetically Modified Seed. Mr. Little reported the GMO is an ongoing concern, the export market will not accept GMO seed. Opening the borders is a slow process.

**REPORT:**

Doug Finicle was given the floor to report on the Idaho Canola/Rapeseed Commission. In June, 2004, Governor Kempthorne appointed Mr. Finicle to a three-year term on the Commission. The ICRC was created in 1996 as a tool to advance the oilseed industry in Idaho. One of the primary functions of any commodity Commission is to promote research for the advancement of the industry represented by the Commission. In 2004, the ICRC extended a total of \$ 32,000 dollars to assist with four research projects being conducted at the University of Idaho. The ICRC, in cooperation with University of Idaho, has hired private consultant, Pat McGourty from Boise to form a working group, which will develop an action plan for registering mustard meal as a biopesticide with EPA. The mustard meal may be an effective alternative to commercial pesticides. The ICRC followed a recommendation from the legislative audit services this year and helped draft legislation, H 170, to change the audit system of the commission from annual to a biannual system with each year treated separately. Mr. Finicle thanked Senator Broadsword for carrying the bill. (budget report attached).

**Vice Chairman Gannon** asked how much of the check-off is refunded back to the members/producers. Mr. Finicle stated, zero.

**ADJOURN:**

**Chairman Williams** adjourned the meeting at 8:50 a.m.

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Senator Stanley Williams  
Chairman

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Kristen Weitz  
Secretary

## MINUTES

### SENATE AGRICULTURAL AFFAIRS COMMITTEE

**DATE:** March 17, 2005

**TIME:** 8:00 a.m.

**PLACE:** Room 437

**MEMBERS PRESENT:** Chairman Williams, Vice Chairman Gannon, Senators Burtenshaw, Seat vacant, Coiner, Corder, Broadsword, Stennett, Kelly

**MEMBERS ABSENT/ EXCUSED:** None

**CALL TO ORDER:** **Chairman Williams** called the meeting to order at 8:05 AM.

**H 36**  
**H 37** Representative Jones was given the floor to present H 36, and H 37 to Committee. The language for both H 36, and H 37 is almost identical. It is important to ensure that Idaho is the proper level of regulation for fertilizer and plant and soil amendment. The legislation will ensure consistency with the regulation of the industry. There are no intentions with the legislation to interfere with the local authority of government to regulate and protect the ground or quality of surface water, in accordance with applicable state and federal law. Representative Jones recommended to Committee the legislation be referred out to the amending order and attach the amendments to each piece of legislation. Representative Jones referred the Committee to the handout on existing Idaho Statutes, Title 22, Chapter 34 Pesticides and Chemigation,(see attachment).

**TESTIMONY:** Justin Ruen; Association of Idaho Cities, testifying on behalf of Ken Harward; Executive Director, Association of Idaho Cities, stated since the Senate Agricultural Affairs Committee meeting on on H 36, and H 37, an agreement has been reached concerning an amendment to preserve local authority to protect water quality. Association of Idaho Cities supports the amendment, but the cities still have concerns about the scope of the legislation.

**COMMITTEE DISCUSSION:** **Senator Kelly** asked if the level of changes with H 36 and H 37 are acceptable to the ACHD. Mr. Deckard stated, the ACHD is in agreement with the changes.

**Senator Broadsword** stated that the Idaho Statute that Chairman Jones passed out (see attachment) specifically states "rules, regulations, and resolution, ordinances, and statute". Mr. Ruen, stated yes it does.

**FOLLOW-UP:** **Senator Broadsword** asked if Mr. Ruen was suggesting a change to the Idaho Statute to make it comparable to the existing Idaho Statute if the Committee adopts Mr. Ruens suggestion. Mr. Ruen stated the Association of Idaho Cities would take a look at that.

**FOLLOW-UP:** **Senator Burtenshaw** asked if adding an amendment to change the language in the Idaho Statute would create a conflict in the Idaho Statute. Mr. Ruen did not know if adding an amendment would create a conflict. **Vice Chairman Gannon** stated one statute addresses pesticides and one statute addresses fertilizer, they do not cross each other.

**MOTION:** **Vice Chairman Gannon** made a motion to report out H 36, and H 37 to the amending order, fourteenth order of business. Motion seconded by **Senator Kelly**. The motion carried by a voice vote. **Vice Chairman Gannon** will carry H 36, and H 37.

**H 197aa** Representative Block was given the floor to present H 197aa to the Committee. The farm machinery dealers in Idaho are concerned, due to mergers in the farm equipment industry that have occurred resulting in dealer cancellations and terminations. This has created instability in the farm equipment businesses in Idaho. The legislation addresses the issue and concern by updating the existing farm machinery dealer statutes in Idaho Code. Idaho Code, currently contains buy back statutes, and dealer protection statutes written into Code in 1986. The statutes need to be updated from the original statutes to include items that were not on farm equipment when the original statutes were written. The farm machinery equipment in the 21<sup>st</sup> Century, has incorporated technology into the equipment to operate farms more efficiently with GPS, hydraulic remotes, radar, and expensive software manuals. The warranty statutes need updated to cover the complicated processes to repair computerized equipment. Utah, Montana, Washington, Oregon, and Wyoming have recently passed similar legislation in 2005. Representative Block reported to the Committee letters of support for H 197aa from Idaho farmers, major equipment manufacturers and dealers.

**TESTIMONY:** Ron Moore, Association Manager, Pacific NW Hardware and Implement Association, on behalf of Case New Holland and Case/IH support H 197aa.

Rodney Burks, Burks Tractor Company supports H 197aa.

Dennis Tanikuni; Assistant Director Public Relations, Idaho Farm Bureau Federation supports 197aa. The legislation helps keep the dealerships in business and serving the local business and agricultural communities.

Ed Schlofman; President, Schlofman Tractor, supports H 197aa.

**MOTION:** **Senator Broadsword** made a motion to report out H 197aa with a do pass recommendation. Motion seconded by **Senator Kelly**. The motion carried by a voice vote. **Senator Davis** will carry H 197aa.

**HJM 4** Representative Bolz was given the floor to present HJM 4 to Committee. The legislation is sending a message to Congress in regards to CAFTA, and FTAA. The sugar beet growers are very concerned with regard to the

implications of how the trade agreements will effect the Idaho sugar beet industry from an economic standpoint. The legislation urges Congress to take into consideration the economic impact to agriculture as well as all other industries during negotiation of the trade agreements.

**TESTIMONY:** Mark Duffin; Executive Director, Idaho Sugar Beet Growers Association, supports HJM 4.

**MOTION:** **Senator Corder** made a motion to report out HJM 4 with a do pass recommendation. Motion seconded by **Senator Broadsword**. The motion carried by a voice vote. **Senator Corder** will carry HJM 4.

**UPDATE:** Kathy Alder, Idaho Agriculture Women (IAW) was given the floor to report to Committee an update on agriculture in Canyon County. Canyon County is in the top 10% for agriculture production in the U.S., and the most diversified of all counties in Idaho. Issues affecting farmers in Canyon County are water, farm labor, growth, and the price of land.

**ADJOURN:** **Chairman Williams** adjourned the meeting at 9:10 a.m.

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Senator Stanley Williams  
Chairman

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Kristen Weitz  
Secretary

## MINUTES

### SENATE AGRICULTURAL AFFAIRS COMMITTEE

**DATE:** March 22, 2005

**TIME:** 7:00 a.m.

**PLACE:** Room 437

**MEMBERS PRESENT:** Chairman Williams, Vice Chairman Gannon, Senators Burtenshaw, Seat vacant, Coiner, Corder, Broadsword, Stennett, Kelly

**MEMBERS ABSENT/ EXCUSED:** None

**CALL TO ORDER:** **Chairman Williams** called the meeting to order at 7:00 a.m.

**MINUTES:** **Senator Corder** made a motion to approve the minutes for March 10, 2005. Motion seconded by **Senator Broadsword**. The motion carried by a voice vote.

**SENATE PAGE FAREWELL:** **Chairman Williams** presented Alyssa Welch with her "Letter of Appreciation" and "Letter of Recommendation", from the Committee and thanked her for her hard work.

**GUESTS:** **Chairman Williams** welcomed Representative Shirley, Representative Bolz, Roger Batt; Administrator, Idaho Mint Commission, Blaine Jacobson; Administrator, Idaho Wheat Commission, John Orr; Chair, Idaho State Pesticide Management Commission.

**H 174aa** Representative Shirley was given the floor to present H 174aa, relating to Domestic Cervidae. Mr. Shirley gave a brief background of the domestic cervidae industry in Idaho. Domestic Cervidae refers to breeding, raising, and marketing of animals such as deer, moose, and elk. Most of the cervidae ranches in Idaho consist primarily of elk. The legislation would expand to the ranchers, the possibility of raising a species of deer and moose. The cervidae industry is a relatively young industry in Idaho and is organized under the structure of the Idaho Elk Breeders Association and has grown to approximately 80 ranchers. The growing interest in elk breeding as a viable agricultural alternative to some ranchers has helped them remain in the agricultural industry.

Representative Bolz was given the floor to present H 174aa and emphasized that Domestic Cervidae is one of the most regulated agricultural livestock industries in Idaho. Disease prevention is of utmost importance, the industry has mandated 100 % testing for Chronic Wasting Disease (CWD). The industry works closely with the Idaho Department of Agriculture on Brucellosis and TB prevention programs. All Cervidae must be individually identified on a health certificate. The bill will allow for the Department of Agriculture to implement a voluntary CWD certification and surveillance program. Federal rules now being developed for the

Cervidae program will put forth guidelines for the program. The testing of cervidae is mandatory by the Idaho Department of Agriculture.

**COMMITTEE  
DISCUSSION:**

**Senator Burtenshaw** asked if there were any moose farms. Representative Bolz stated yes, there are moose farms in the U.S.

**Senator Corder** asked how are the owners of the cervidae farms registered with ISDA. Representative Bolz stated they are registered the same as the livestock industry. John Chatburn, ISDA, stated the domestic cervidae farms are recorded at the ISDA and inspected on a yearly basis. The registration process referenced in the current statute, is for the registration of premises.

**TESTIMONY:**

Stan Boyd, Idaho Elk Breeders Association, supports H 174aa. Mr. Boyd referred the Committee to 174aa, and addressed sections of the legislation.

**DISCUSSION:**

**Senator Kelly** asked if mule deer, white tail deer, and moose are subject to CWD. Mr. Boyd yielded the question to Mr. Chatburn, ISDA, stated white tail deer and mule deer are susceptible to CWD, in the wild there is a higher prevalence of CWD. Dr. Phil Mamer, Veterinary Medical Officer, Idaho Department of Fish and Game, Caldwell, Idaho, stated moose are not susceptible to CWD, there is a moose wasting disease which is separate from the CWD.

**TESTIMONY:**

Tom Judge; Land Surveyor, ISCAC/ISB, opposeS H 174aa. The bill raises several points of concern. Domestic Cervidae farms have the potential of introducing disease, interruption of migration tracks, and the reduction of traditional winter range.

Ted Rea, Elk Breeder, Twin Falls, Idaho, supports H 174aa and views the bill as a proactive approach for Cervidae ranchers and stated the management of cervidae and habitat are important to Domestic Cervidae ranchers.

Cherie Barton, representing Idaho Wildlife Federation (IWF), Idaho Sportsman Caucus Advisory Council, opposes H 174aa. Ms. Barton is an Idaho native, and expressed concerns about CWD, and adding more animals to elk ranches.

Gary Queen, Elk Ranch Manager, North Idaho, representing the Idaho Elk Breeders Association, supports H 174aa. The bill will allow for agricultural growth in the industry.

Jack Fisher, Idaho Wildlife Federation, Member of the Fish and Game Advisory Committee and Idaho Sportsman Caucus Advisory Council, opposes H 174aa.

Michael Ferguson, Elk Rancher, Madison County, supports H 174aa. Mr. Ferguson stated he operates the largest elk ranch in Idaho and has been in the business of elk breeding for 17 years.

Steven Huffaker; Director, Idaho Fish and Game, opposes H 174aa. Mr. Huffaker stated that the Fish and Game Departments all over the country are very concerned about the diseases that interact between domestic and wild animals. The Chronic Wasting Disease is permanent in the soil once it contaminates an area.

**DISCUSSION:** **Senator Corder** asked if CWD is inevitable in Idaho. Mr. Huffaker stated he hopes not, the Fish and Game is doing everything they can to inform hunters in other states where CWD is endemic, and what they can do to minimize the disease, and keep it out of Idaho.

**TESTIMONY:** Ron Davidson, representing Idaho Wildlife Federation and Idaho Sportsman's Caucus Advisory Council, opposes H 174aa.

Dr. Charles Guess, retired physician, Moscow, Idaho, opposes H 174aa, and has been a wildlife farmer for 25 years. The mandatory CWD testing should remain mandatory.

Thomas Smith, Elk Rancher, Moscow, Idaho, opposes H 174aa.

Jeremy Pisca, Attorney, representing Idaho Outfitters and Guides Association, opposes H 174aa.

**ORIGINAL MOTION:** **Senator Corder** made a motion to report out H 174aa with a do pass recommendation. The motion was seconded by **Senator Burtenshaw**.

**COMMITTEE DISCUSSION ON ORIGINAL MOTION:** None

**SUBSTITUTE MOTION:** **Senator Stennett** made a substitute motion to hold H 174aa in Committee. The motion was seconded by **Senator Kelly**.

**COMMITTEE DISCUSSION ON SUBSTITUTE MOTION:** **Senator Stennett** asked the Committee to look at the language on page 3, line 3, and believes that not lending any action on CWD is risky, and the costs to eradicate the disease are high. There is a big difference between Texas and Idaho in how they conduct business with regard to domestic cervidae ranches. **Senator Burtenshaw** stated the laws that are in place prohibit bringing into Idaho, Cervidae that has not been in a five year testing program. The Cervidae ranchers are under the most stringent inspections, tagging, identification, and testing of livestock in Idaho. The Cervidae ranchers intentions are to raise game as a viable alternative to farming.

**ROLL CALL VOTE ON SUBSTITUTE MOTION:** **The Chairman called for a roll call vote on the substitute motion.**  
**Ayes - Senators Stennett, Kelly**  
**Nay - Senators Gannon, Burtenshaw, Coiner, Corder, Broadsword, Williams**  
**The motion failed by six nays to two ayes.**

**ROLL CALL VOTE ON** **The Chairman called for a roll call vote on the original motion.**  
**Ayes - Senators Gannon, Burtenshaw, Coiner, Corder, Broadsword,**



**ORIGINAL  
MOTION:**

**Williams**  
**Nays - Senators Stennett, Kelly**  
**The motion carried by six ayes to two nays to report out H 174aa**  
**with a do pass recommendation.**  
**Senator Corder will carry the bill.**

**Chairman Williams** brought attention to the hour due to time constraints commission reports will need to be brief, and apologized for the short amount of time.

**REPORT:  
IDAHO MINT  
COMMISSION**

Roger Batt; Administrator, Idaho Mint Commission, was given the floor to report FY 2004 to Committee (see attachment of FY report). The peppermint acreage for 2004 will be close to 2003 which was 14,000 acres for 2003. Unsold inventory in the valley is above 500,000 pounds, this is 75,000 pounds above what was in storage before harvest began. The quality of the 2004 peppermint crop will dictate how sales will be in 2005. All of the planned upgrades to the Lewis McKellip Research Distillery, located at the Parma Research and Extension Center have been completed. The Idaho Mint Commission is primarily funded by a mint tax of \$.06 cents per pound of essential mint oil sold through primary channels in Idaho.

Mint Statistics:

400-pound drum of mint oil will flavor approximately:

- 400,000 tubes of toothpaste
- 5,000,000 sticks of gum
- 20,000,000 mint candies

The Legislative audit for the Idaho Mint Commission is done every two years instead of on a yearly basis. The unreserved fund balance for June 30, 2003, was \$ 149,537 dollars and for June 30, 2002, the unreserved fund balance was \$ 171,899 dollars. The reason for the decrease from 2002 to 2003 was due to more spending in the research of mint. There are 71 mint growers in Idaho, in 1997 there were 211, the main reason for the decrease is due to foreign competition and over surplus of mint oil in the U.S.

**REPORT:  
IDAHO WHEAT  
COMMISSION**

Blaine Jacobson; Administrator, Idaho Wheat Commission was given the floor to report on the FY 04, FY 05 Budget and FY 06 Budget projection. The activities carried out by the Idaho Wheat Commission on behalf of Idaho wheat growers are funded by a \$.015 cent per bushel wheat tax. The tax is remitted quarterly. Revenue from the wheat tax during FY 2005 is expected to be \$ 1,450,000 dollars, while the approved FY 2005 spending budget is \$ 1,796,000 dollars. The amount of the budget committed to administrative payroll and office operations will run at 20.5 %, about the same as the prior year. The FY 06 projected receipts based on 96.5 million bushels at \$ 0.015 cents per bushel is \$1,447,500. Farmland planted into wheat is not expected to increase in 2005. In 2004, approximately 1.2 million acres of wheat were harvested. Forty percent of Idaho's crop goes to domestic mills and customers. Approximately 60 % of the wheat crop is exported, to Japan, Philippines, South Korea, and Taiwan. New dietary guidelines issued by the federal government have put more focus on whole-wheat products.

**COMMITTEE  
DISCUSSION:**

**Vice Chairman Gannon** asked if the Idaho Wheat Commission is doing anything in the ethanol area. Mr. Jacobson stated yes, the Idaho Wheat Commission is involved with the Iogen Company in Idaho Falls, Idaho.

**REPORT:  
IDAHO STATE  
PESTICIDE  
MANAGEMENT  
COMMISSION**

John Orr; Chair, Idaho State Pesticide Management Commission (ISPMC), was given the floor to present an update to Committee. The Commission representation consists of an 11 member board comprised of representatives from segments of Idaho agriculture. The ISPMC was funded by a one-time \$ 100,000 dollar Specialty Crop grant in 2002 from the Idaho State Department of Agriculture and grant funds from the Idaho Alfalfa & Clover Seed Commission, Idaho Barley Commission, and Far West Agri-Business Association - Idaho Committee. The ISPMC has been able to leverage modest start-up grants with extensive matching funding from sponsoring commodity organizations and research universities. In 2003, there were seven research projects funded by an ISPMC Grant, and matching funds totaling \$166,079 dollars. In 2004, there were seven research projects funded from an ISPMC Grant, and matching funds totaling \$135,736 dollars. The total investment-to-date for the 14 research projects is \$ 301,815 dollars.

**Announcements**

**Chairman Williams** announced to Committee members to meet on Thursday, March 24, 2005 at 7:00 a.m. in front of the Capital Building. Transportation will be provided to take a tour of the University of Idaho Caine Veterinary Teaching Center in Caldwell, Idaho.

**ADJOURN:**

**Chairman Williams** adjourned the meeting at 9:10 a.m.

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Senator Stanley Williams  
Chairman

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Kristen Weitz  
Secretary

MINUTES

**SENATE AGRICULTURAL AFFAIRS COMMITTEE**

**DATE:** March 24, 2005  
**TIME:** 7:00 a.m.  
**PLACE:** Room 437  
**MEMBERS PRESENT:** Chairman Williams, Vice Chairman Gannon, Senators Burtenshaw, Seat vacant, Coiner, Corder, Broadsword, Stennett, Kelly  
**MEMBERS ABSENT/ EXCUSED:** Excused **Senator Stennett**

**COMMITTEE BUSINESS:** The Senate Agricultural Affairs Committee took a tour of the University of Idaho Caine Veterinary Teaching Center in Caldwell, Idaho. Committee members had transportation provided from the Capital Building to the tour site and back to the Capital Building by Rich Garber; Director of Government Affairs, University of Idaho.

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Senator Stanley Williams  
Chairman

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Kristen Weitz  
Secretary

## MINUTES

### SENATE AGRICULTURAL AFFAIRS COMMITTEE

**DATE:** March 29, 2005

**TIME:** 8:00 a.m.

**PLACE:** Room 437

**MEMBERS PRESENT:** Chairman Williams, Vice Chairman Gannon, Senators Burtenshaw, Seat vacant, Coiner, Corder, Broadsword, Stennett, Kelly

**MEMBERS ABSENT/ EXCUSED:** Absent: Senators, Kelly, Gannon, Broadsword

**CALL TO ORDER:** **Chairman Williams** called the meeting to order at 8:05 a.m.

**CLOSING COMMENTS:** **Chairman Williams** expressed his appreciation for the attendance and hard work achieved by the Committee during the 2005 legislative session. **Chairman Williams** stated that HJM 8 has been referred to the Transportation Committee. **Chairman Williams** asked the Committee members if there are any concerns or issues in Agriculture that need to be addressed and considered for the agenda in 2006. **Senator Stennett** stated the dairy issues continue to be a concern in his district. The Jerome, Gooding, Twin Falls areas are seeing a saturation of nutrient spreading, which is a concern for the district. The methane digester is a positive for the district and **Senator Stennett** would like to see how that is working in his district. **Senator Coiner** stated the dairy industry as a whole is taking a proactive stance. The IDEAL research program continues to have a positive effect on the dairy industry. **Senator Corder** stated he has received several e-mails regarding the issue of the cheese factory odors, and asked what is the process for resolving the problem, what is the action plan when a complaint is issued. Laura Johnson, ISDA, stated the manufacturing issues are handled by the DEQ. Ms. Johnson stated she will follow-up with specifics for **Senator Corder**.

**Chairman Williams** thanked Committee Secretary, Kristen Weitz for her time and service to the Committee.

Laura Johnson; Marketing Bureau Chief, ISDA, thanked the Committee for their hard work and all they have done during the 2005 legislative session.

**ADJOURNED:** The meeting was adjourned at 8:20 a.m. **Chairman Williams** adjourned the Committee for the 2005 legislative session subject to the call of the Chair.

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Senator Stanley Williams  
Chairman

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Kristen Weitz  
Secretary