

AGENDA  
HOUSE AGRICULTURAL AFFAIRS COMMITTEE  
1:30 P.M.  
Room EW20  
Tuesday, January 10, 2012

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SUBJECT	DESCRIPTION	PRESENTER
	Organizational Meeting	

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***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Andrus  
Vice Chairman Boyle  
Rep Lake  
Rep Stevenson  
Rep Trail  
Rep Bolz

Rep Shirley  
Rep Patrick  
Rep McMillan  
Rep Batt  
Rep Pence  
Rep Lacey

COMMITTEE SECRETARY

Susan Werlinger  
Room: EW62  
Phone: (208) 332-1137  
email: [swerlinger@house.idaho.gov](mailto:swerlinger@house.idaho.gov)

MINUTES  
**HOUSE AGRICULTURAL AFFAIRS COMMITTEE**

**DATE:** Tuesday, January 10, 2012  
**TIME:** 1:30 P.M.  
**PLACE:** Room EW20  
**MEMBERS:** Chairman Andrus, Vice Chairman Boyle, Representative(s) Lake, Stevenson, Trail, Bolz, Shirley, Patrick, McMillan, Batt, Pence, Lacey  
**ABSENT/  
EXCUSED:** Representative Lake  
**GUESTS:** Brent Olmstead, MP Idaho

**Chairman Andrus** called the meeting to order at 1:30 p.m.

**Chairman Andrus** introduced **Rep. Boyle** as Vice Chairman of the Committee. He also introduced the committee secretary, **Susan Werlinger**, and the page for the first half of the Session, **Susie McHan**, from Rupert.

**Chairman Andrus** said when this assignment came in last year at the end of Session, he thought of the responsibilities of the Committee, that being to promote and to protect Idaho agriculture. He said agriculture is the number one resource in the state and it is the Committee's responsibility to protect that and to help it grow.

**Chairman Andrus** said **Vice Chairman Boyle** will oversee rules review, he turned the time over to her to explain the rules review.

**Vice Chairman Boyle**, explained that the rules have been divided into three subcommittees: Administrative, Livestock and Crop. She reviewed the Subcommittee assignments. They are: Administrative Rules Subcommittee: **Rep. Trail, Chairman, Rep. Shirley and Rep. Lacey**; Livestock Rules Subcommittee: **Rep. Boyle, Chairman, Rep. Lake, Rep. McMillan and Rep. Batt**; Crop Rules Subcommittee: **Rep. Bolz, Chairman, Rep. Stevenson, Rep. Patrick and Rep. Pence**. Vice Chairman Boyle explained that a link to the rules will be available on the agendas this year, but a hard copy is also available from the secretary. Vice Chairman Boyle thanked the committee members for being willing to serve on the Subcommittees.

**Chairman Andrus** called for volunteers to proofread the minutes for the Session. The volunteers are **Rep. McMillan** and **Rep. Pence**.

There being no further business to come before the Committee the meeting adjourned at 1:40 p.m.

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Representative Andrus  
Chairman

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Susan Werlinger  
Secretary

AGENDA  
HOUSE AGRICULTURAL AFFAIRS COMMITTEE  
TRAIL SUBCOMMITTEE  
Administrative Rules Review  
8:15 A.M.  
Room EW20  
Thursday, January 12, 2012

<u>DOCKET NO.</u>	<u>DESCRIPTION</u>	<u>PRESENTER</u>
<a href="#"><u>02-0104-1101</u></a>	Rules Governing the Idaho Preferred Promotion Program	Leah Clark, Market Development Division; Dept. of Agriculture
<a href="#"><u>02-0214-1101</u></a>	Rules for Weights and Measures	Kevin Merritt, Bureau of Weights & Measures; Dept. of Agriculture
<a href="#"><u>02-0630-1101</u></a>	Rules Under the Idaho Bee Inspection Law	Mike Cooper, Division of Plant Industries; Dept. of Agriculture
<a href="#"><u>02-0633-1101</u></a>	Organic Food Product Rules	Brandon Lamb, Division of Agricultural Inspections; Dept. of Agriculture

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Trail  
Rep. Shirley  
Rep. Lacey

COMMITTEE SECRETARY

Susan Werlinger  
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Phone: (208) 332-1137

MINUTES  
**HOUSE AGRICULTURAL AFFAIRS COMMITTEE**  
**TRAIL SUBCOMMITTEE**  
Administrative Rules Review

**DATE:** Thursday, January 12, 2012  
**TIME:** 8:15 A.M.  
**PLACE:** Room EW20  
**MEMBERS:** Chairman Trail, Representatives Shirley, Lacey  
**ABSENT/  
EXCUSED:** None  
**GUESTS:**

Brandon Lamb, Kevin Merritt, Leah Clark, Michael Cooper, Laura Johnson, Idaho State Department of Agriculture; Dennis Stevenson, Administrative Rules Coordinator; Martha deSimon, Majority Pool Secretary

**Chairman Trail** called the meeting to order at 8:14 a.m.

**Laura Johnson**, Market Development Division, Dept. of Agriculture, briefly introduced the Department staff that were present for review of the Administrative Rules.

**Dennis Stevenson**, Administrative Rules Coordinator, gave a brief review of the rules procedure regarding Pending, Temporary and Fee rules.

**DOCKET NO. 02-0104-1101** **Leah Clark**, Trade Specialist, Marketing Development Division, introduced **Betty Munis**, Idaho Forest Products Association. Ms. Clark said these are Pending Rules requested by the Forest Products Association and approved by the Forest Products Commission. She said the rule adds a definition and she requested approval of the rules.

In response to questions from the Subcommittee, **Ms. Clark** clarified that many forest product manufacturers have products out of state, but the majority of products need to come from the state of Idaho. She said many producers own land in two states and the trees grown in Idaho are labeled.

**MOTION:** **Rep. Shirley** made a motion to recommend approval of **Docket No. 02-0104-1101** to the full committee. **Rep. Lacey seconded the motion. Motion carried by voice vote.**

**DOCKET NO. 02-0214-1101** **Kevin Merritt**, Section Manager, Bureau of Weights and Measures, said the purpose of this Rule is to update a document reference in the Weights and Measurements handbook. He said updating the document promotes uniformity throughout the United States.

In response to questions, **Mr. Merritt** said most states follow certain guidelines in the handbook and exempt themselves from certain guidelines. He said Idaho is a state that also does this. Mr. Merritt said that most of the changes are housekeeping and the most drastic change is the addition of a definition which would not create any hardships for the industry.

**MOTION:** **Rep. Shirley** made a motion to recommend approval of **Docket No. 02-0214-1101** to the full committee. **Rep. Lacey seconded the motion. Motion carried by voice vote.**

**DOCKET NO. 02-0630-1101** **Mike Cooper**, Bureau Chief, Division of Plant Industries, said these were primarily housekeeping rule changes and the only changes that might affect bee keepers is pushing back an inspection date by a month.

**MOTION:** **Rep. Lacey** made a motion to recommend approval of **Docket No. 02-0630-1101** to the full committee. **Rep. Shirley seconded the motion. Motion carried by voice vote.**

**DOCKET NO. 02-0633-1101** **Brandon Lamb**, Organic Program Manager, Division of Agricultural Inspections, said the changes to the organic food product rule will eliminated the education activity requirement to comply with legislation that was passed in 2011. He said it would also eliminate fees which will comply with the national rule.

In response to Subcommittee questions regarding the organic food industry trends and economic impact in Idaho, **Mr. Lamb** said that organic food production has been pretty recession proof, and there are about 250 certified operations in the state. Mr. Lamb's response regarding the elimination of the July 1st deadline for approval was the national rule requires an annual inspection and the operation is given a renewal date at that time. He said it allows them to work more with the producer on their schedule.

**MOTION:** **Rep. Lacey** made a motion to recommend approval of **Docket No. 02-0633-1101** to the full committee. **Rep. Shirley seconded the motion. Motion carried by voice vote.**

**ADJOURN:** There being no further business to come before the Subcommittee the meeting adjourned at 8:46 a.m.

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Representative Tom Trail  
Chairman

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Susan Werlinger  
Secretary

AGENDA  
HOUSE AGRICULTURAL AFFAIRS COMMITTEE  
BOLZ SUBCOMMITTEE  
Crop Rules Review  
1:30 P.M.  
Room EW20  
Thursday, January 12, 2012

DOCKET NO.	DESCRIPTION	PRESENTER
<a href="#">02-0612-1101</a>	Rules Pertaining to the Idaho Fertilizer Law	Mike Cooper, Bureau Chief, Div. of Plant Industries; Dept. of Agriculture
<a href="#">02-0620-1101</a>	Rules Governing Grape Planting Stock	
<a href="#">02-0641-1101</a>	Rules Pertaining to the Idaho Soil and Plant Amendment Act of 2001	
<a href="#">02-0303-1101</a>	Rules Governing Pesticide and Chemigation Use and Application	Ben Miller, Bureau Chief, Div. of Agricultural Resources; Dept. of Agriculture
<a href="#">60-0504-1101</a>	Rules Governing Allocation of Funds to Conservation Districts	Kristin Magruder, Teri Murrison, Idaho Soil & Water Conservation Commission

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Bolz  
Rep.Stevenson  
Rep.Patrick  
Rep.Pence

COMMITTEE SECRETARY

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MINUTES  
**HOUSE AGRICULTURAL AFFAIRS COMMITTEE**  
**BOLZ SUBCOMMITTEE**  
Crop Rules Review

**DATE:** Thursday, January 12, 2012

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

**PLACE:** Room EW20

**MEMBERS:** Chairman Bolz, Representatives Stevenson, Patrick, Pence

**ABSENT/  
EXCUSED:** None

**GUESTS:** Laura Johnson, Ben Miller, Idaho State Department of Agriculture; Bret Rumbleck, IASCD; Kristin Magruder, Teri Murrison, Soil and Water Conservation Commission, Dennis Stevenson, Rules Coordinator

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

**DOCKET NO. 02-0612-1101:** **Mike Cooper**, Bureau Chief, Division of Plant Industries, said this rule is brought to the Committee every year and this is the 2012 version. He said this rule is uniformly adopted by all states and provides standards for all states. Mr. Cooper listed the changes and said this is consistent with what has been done in the past with all the rules.

**MOTION:** **Rep. Stevenson** made a motion to recommend approval of **Docket No. 02-0612-1101** to the full Committee. **Motion carried by voice vote.**

**DOCKET NO. 02-0620-1101:** **Mr. Cooper** said this rule has been on the books since 1972, they spoke to the industry several times about updating this rule and only recently decided it should be updated. He said the old rules were hard to interpret and were highly restrictive. Mr. Cooper reviewed the changes and said they have walked through the changes with the groups that were affected. He said after a two year process, the 2008 farm bill revised the grape certification standards. He said Oregon and Washington are also revising their rules to comply with the national standards. Mr. Cooper said Idaho has restructured the law as well regarding the quarantine rules, the requirements for shipping stock into the state, and now they don't differentiate between wine and table grapes because the problems for both can be the same. He said these rules mirror what Oregon and Washington also have in place. Mr. Cooper answered questions from the Subcommittee.

**MOTION:** **Rep. Stevenson** made a motion to recommend approval of **Docket No. 02-0620-1101** to the full Committee. **Motion carried by voice vote.**

**DOCKET NO. 02-0641-1101:** Mr. Cooper, explained that this Pending Rule regarding the Idaho Soil and Plant Amendment Act of 2001 is updated and approved every year. This rule also amends the labeling requirements to include Guaranteed Analysis and gives direction so the analysis is done by appropriate methods.

**MOTION:** **Rep. Patrick** made a motion to recommend approval of **Docket No. 02-0641-1101** to the full Committee. **Motion carried by voice vote.**

**DOCKET NO. 02-0303-1101:** Ben Miller, Bureau Chief, Division of Agricultural Resources, said this is a Pending Rule change recommended by the Pesticide Committee. He said Idaho currently has 153 pesticide applicators, the majority have the chemigation applicator certification on their license. The current rule requires the applicator to be at the site during the entire application, some chemigation applications can take two days to complete. This is an unintended burden for these applicators. He said this also adds an unnecessary cost to the 200 private applicators in the state. The change in the rule would allow the applicator to turn the equipment on, then come back every four hours to check that the equipment is running properly.

**MOTION:** **Rep. Pence** made a motion to recommend approval of **Docket No. 02-0303-1101** to the full Committee. **Motion carried by voice vote.**

**DOCKET NO. 60-0504-1101:** **Teri Murrison**, Administrator, Idaho Soil & Water Conservation Commission introduce **Kristin Magruder**, Program Specialist, to present the rule. Ms. Magruder, asked the Committee to approve this rule for the allocation of funds to conservation districts. She gave a brief overview of the rule saying it is a new chapter and defines the requirements for allocating general funds to local conservation districts. Ms. Magruder said the districts are required to submit three certified reports in order to be eligible for funds and the Commission will determine the amounts to be allocated based on the reports they receive. She said the feedback received was positive.

**MOTION:** **Rep. Stevenson** made a motion to recommend approval of **Docket No. 60-0504-1101** to the full Committee. **Motion carried by voice vote.**

**ADJOURN:** There being no further business to come before the Subcommittee the meeting adjourned at 1:58 p.m.

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Representative Darrell Bolz  
Chairman

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Susan Werlinger  
Secretary

AGENDA  
HOUSE AGRICULTURAL AFFAIRS COMMITTEE  
1:30 P.M.  
Room EW20  
Wednesday, January 18, 2012

<u>SUBJECT</u>	<u>DESCRIPTION</u>	<u>PRESENTER</u>
<a href="#">RS20764</a>	Weights/measures dedicated fund	Kevin Merritt, Dept. of Agriculture
<a href="#">RS20768</a>	Veterinarians	Karen Ewing, Board of Veterinary Medicine

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Andrus	Rep Shirley
Vice Chairman Boyle	Rep Patrick
Rep Lake	Rep McMillan
Rep Stevenson	Rep Batt
Rep Trail	Rep Pence
Rep Bolz	Rep Lacey

COMMITTEE SECRETARY

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MINUTES  
**HOUSE AGRICULTURAL AFFAIRS COMMITTEE**

**DATE:** Wednesday, January 18, 2012  
**TIME:** 1:30 P.M.  
**PLACE:** Room EW20  
**MEMBERS:** Chairman Andrus, Vice Chairman Boyle, Representative(s) Lake, Stevenson, Trail, Bolz, Shirley, Patrick, McMillan, Batt, Pence, Lacey  
**ABSENT/  
EXCUSED:** Representative Stevenson  
**GUESTS:** Kevin Merritt, ISDA; Brent Olmstead, MPIIdaho; Carol Youtz, Karen Ewing, Board of Veterinary Medicine; Brian Oakey, John Bilderback, Wyatt Prescott, Marv Patten, Katie Mink, Michael Cooper, ISDA.

**Chairman Andrus** called the meeting to order at 1:30 p.m.

**Chairman Andrus** gave a review of Committee issues from leadership saying the secretary will continue with a silent roll call. Also, the Chairman will inform members when the press are allowed to stand behind committee members for the purpose of taking pictures of presenters.

**Chairman Andrus** welcomed Nathan Whitley, this Committee's intern for the Session, he is a student at Boise State University and is also the intern for the Resources Committee.

**MOTION:** **Rep. Pence** made a motion to approve the minutes of Tuesday, January 10, 2012 as written. **Motion carried by voice vote.**

**MOTION:** **Rep. Trail** made a motion to approve the minutes of the Administrative Rules Subcommittee for Thursday, January 12, 2012. **Motion carried by voice vote.**

**MOTION:** **Rep. Bolz** made a motion to approve the minutes of the Crops Subcommittee on Rules for Thursday, January 12, 2012. **Motion carried by voice vote.**

**RS 20764:** **Kevin Merritt**, Section Manager, Department of Agriculture, said this proposed legislation amends the Weights and Measures, Licensing of Weighmasters Law. He said the intent is to allow the weighmaster license fees to be deposited into the weights and measures dedicated fund instead of the General Fund. He said the annual weighmaster license fee is an exception and needs to be brought in line with existing license programs to cover the cost of administering and enforcing the Weighmasters License Act.

**MOTION:** **Rep. Trail** made a motion to introduce **RS 20764**. **Motion carried by voice vote.**

**RS 20768:** **Karen Ewing**, Board of Veterinary Medicine, said they are a one hundred percent dedicated fund agency. She said this purposed legislation removes the refund to a new applicant who withdraws their application before the board review. She said when an applicant informs the Board they do not want to be issued a license, the Board has already put time and money into processing the application. Ms. Ewing said this doesn't happen very often and the only fee not refunded is the original license application fee.

In response to Committee questions, **Ms. Ewing** said there would be notice given to the applicant that the fee would not be refunded and notation would also be added to their website home page and on the page where applicants download the application. Ms. Ewing also explained the amounts for the application and licensing fees and the amounts that would or would not be refunded. She said they process 50 to 75 applications per year, which takes at least 10 hours of processing time per application, also they only have an applicant withdraw once or twice a year. In continued response to Committee questions, Ms. Ewing explained the process when an applicant is denied a license and if an applicant is denied the fee would be refunded to the applicant.

**MOTION:** **Rep. Bolz** made a motion to introduce **RS 20768. Motion carried by voice vote.**

There being no further business to come before the Committee the meeting adjourned at 1:56 p.m.

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Representative Andrus  
Chairman

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Susan Werlinger  
Secretary

AGENDA  
**HOUSE AGRICULTURAL AFFAIRS COMMITTEE**  
**BOYLE SUBCOMMITTEE**  
 Livestock Rules Review  
 Upon Adjournment of the Full Committee  
 Room EW20  
 Wednesday, January 18, 2012

<b>DOCKET NO.</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#">46-0101-1101</a>	Rules of the State of Idaho Board of Veterinary Medicine	Karen Ewing, Executive Director, Board of Veterinary Medicine
<a href="#">46-0101-1102</a>	Rules of the State of Idaho Board of Veterinary Medicine (Fee Rule)	Karen Ewing
<a href="#">02-0418-1101</a>	Rules Governing the CAFO Site Advisory Team	John Bilderback, Dairy & CAFO Programs
<a href="#">02-0430-1101</a>	Rules Governing Nutrient Management	John Bilderback
<a href="#">02-0432-1101</a>	Rules Governing Poultry Operations (New Chapter-Fee Rule)	John Bilderback
<a href="#">02-0409-1101</a>	Rules Governing Milk and Cream Procurement and Testing (New Chapter-Fee Rule)	Marv Patten, Bureau Chief, Dairy & CAFO Programs
<a href="#">02-0420-1101</a>	Rules Governing Brucellosis	Dr. Bill Barton, Administrator & State Veterinarian, Division of Animal Industries
<a href="#">02-0426-1101</a>	Rules Governing Livestock Marketing (Fee Rule)	Dr. Bill Barton
<a href="#">02-0602-1101</a>	Rules Pertaining to the Idaho Commercial Feed Law	Mike Cooper, Bureau Chief, Division of Plant Industries

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Boyle  
 Rep.Lake  
 Rep.McMillan  
 Rep.Batt

COMMITTEE SECRETARY

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MINUTES  
**HOUSE AGRICULTURAL AFFAIRS COMMITTEE**  
**BOYLE SUBCOMMITTEE**  
Livestock Rules Review

**DATE:** Wednesday, January 18, 2012  
**TIME:** Upon Adjournment of the Full Committee  
**PLACE:** Room EW20  
**MEMBERS:** Chairman Boyle, Representatives Lake, McMillan, Batt  
**ABSENT/  
EXCUSED:** None.  
**GUESTS:** Kevin Merritt, ISDA; Brent Olmstead, MPIIdaho; Carol Youtz, Karen Ewing, Board of Veterinary Medicine; Brian Oakey, John Bilderback, Wyatt Prescott, Marv Patten, Katie Mink, Michael Cooper, ISDA.

**Subcommittee Chairman Boyle** called the meeting to order at 2:01 p.m

**DOCKET NO. 46-0101-1101:** **Karen Ewing**, Executive Director, Board of Veterinary Medicine, said this rule takes out the requirement for the Board to review nation exam candidates. She said the rule also relates to application fees, making them non refundable. Ms. Ewing said the rule also adds a phrase to the Board record keeping standards, removing the current required written release from an owner for veterinarians to give records to another veterinarian. She said veterinarians were fine with this change and records are still confidential.

The committee expressed concern regarding the change in the refund of the application fee, that the Board should still refund the fee for withdrawing an application as well as for the denial of a license.

**MOTION:** **Rep. Batt** made a motion to recommend approval of **Docket No. 46-0101-1101** with the exception of **Section 100.02. Subsection c.** to the full committee. **Motion carried by voice vote.**

**DOCKET NO. 46-0101-1102:** **Karen Ewing** said the Board of Veterinary Medicine's budget projections show the balance will drop to an unacceptable low level over the next two years and there has not been an increase in fees since 1999. She said the board must be fiscally self sufficient. She stated currently the license fees are most of the Board's budget and the annual license renewal fees paid by active veterinarians are the Board's most significant source of revenue. Ms. Ewing reviewed the changes in the fees and said the fee increase will place the Board in the middle for veterinarian licensing renewal fees for the 18 western states.

**MOTION:** **Rep. Lake** made a motion to recommend approval of **Docket No. 46-0101-1102** to the full committee. **Motion carried by voice vote** with **Rep Batt** being recorded as voting **NAY**.

**DOCKET NO. 02-0418-1101:** **John Bilderback**, Dairy & CAFO Programs, Dept. of Agriculture reviewed the changes relating to the Poultry Environmental Control Act. He said there were changes needed to revise the CAFO siting team rule which provides counties with a definition of CAFO. He said they also took out the definition of animal units.

**Mr. Bilderback** answered questions from the Subcommittee saying the rule is consisted with H 150 aa. He said the addition of language to the Best Management Practices section was added to provide consistency in the rule and the CAFO team has never addressed odor issues it has always been a water based assessment. He said the team will be providing recommendations to the county and this doesn't include enforcement.

**Brian Oakey**, Deputy Director, Dept. of Agriculture, said this was not an attempt to expand the teams authority in addressing odor and water quality issues. He said it is intended to bring the rule in line with other definitions in rules that the agency implements.

**MOTION:** **Rep. Lake** made a motion to recommend approval of **Docket No. 02-0418-1101** to the full committee. **Motion carried by voice vote.**

**DOCKET NO. 02-0430-1101:** **John Bilderback** outlined the changes to the rule saying a definition for poultry CAFO was added and some language was moved from one section to the next. He said other definitions were also added.

**MOTION:** **Rep. Lake** made a motion to recommend approval of **Docket No. 02-0430-1101** to the full committee. **Motion carried by voice vote.**

**DOCKET NO. 02-0432-1101:** **John Bilderback** said these changes will bring the rule into line with the Poultry Environmental Control Act that was passed last year. He reviewed the people involved in the negotiated rulemaking process. He said this rule is modeled after the dairy and beef rule with some additions from the national guidelines for construction. Mr. Bilderback gave a brake down on the size of operations, saying large CAFO's are similar to the dairy rule regarding discharge of waste. He said this also outlines permit and application procedures. He said all the facilities that the rule is applicable to will have a management plan.

In response to Committee questions, **Mr. Bilderback**, said there is currently one existing facility, one facility developed last summer that has been operating for five months and one that is in construction now, so there is a need for the rule. Mr. Bilderback also said the fee was established in statute last year and the agency is authorized to charge a fee for the administrative cost of running the program.

**Marv Patten**, Dept. of Agriculture, responded to questions from the Committee saying, these are not intended to be more stringent rules regarding nitrate regulation, he explained the process of monitoring a facility.

**MOTION:** **Rep. Lake** made a motion to recommend approval of **Docket No. 02-0432-1101** to the full committee. **Motion carried by voice vote.**

**DOCKET NO. 02-0409-1101** **Marv Patten**, Bureau Chief, Dairy & CAFO Programs, said this new rule is based on legislation passed last year. He gave a brief background of the rule and the process of negotiation in the rulemaking.

**MOTION:** **Rep. Batt** recommend approval of **Docket No. 02-0409-1101** to full the committee. **Motion carried by voice vote.**

**DOCKET NO. 02-0420-1101:** **Dr. Bill Barton**, Administrator & State Veterinarian, Division of Animal Industries, said this Rule was implemented as a Temporary Rule and is now a Pending Rule. He said definitions were added for a Herd Management Plan. He outlined the Designated Surveillance Area, and reviewed the ID and testing requirements.

In response to Committee questions, **Dr. Barton** said they felt the need to define Herd Management Plan because it is mentioned later in the Rule, he gave examples of how extensive a management plan might be depending on the producer. Dr. Barton answered more questions from the Committee regarding the requirement for individual identification, that there will be resistance. Dr. Barton said this is in anticipation of the implementation of a new federal rule requiring all cattle originating in Idaho to be individually identified.

**Rep. Batt** mentioned to the Subcommittee that a memo has been drafter addressing the concerns on the tightening of the language in the definition of Designated Surveillance Area.

**Dr. Barton** also responded to Committee questions regarding cooperation from the Department of Fish and Game on elk herds in the Designated Surveillance Areas, saying they are continuing to work closely and have continued and increasing surveillance, good data and sample kits sent from hunters.

**Wyatt Prescott**, Idaho Cattle Assoc., said the Board viewed the restrictions for individual ID and it's a matter of maintaining a viable market. He said some states are imposing more restrictions on Idaho and many cattle are already IDed through this process. He said the Idaho Cattle Association Board did recommend to the Department that they support the change in Rules for ownership testing. He said they tried to make clear through the media to get questions raise on individual IDs but haven't seen any negative feedback and no formal complaints to the Rule change.

**MOTION:** **Rep. Lake** made a motion to recommend approval of **Docket No. 02-0420-1101** with the exception of **Section 123. Subsection 01. Motion carried by voice vote.**

**MOTION:** **Rep. Batt** made a motion to include the memo on the definition of Designated Surveillance Area in the minutes. **Motion carried by voice vote.**

**DOCKET NO. 02-0426-1101:** **Dr. Bill Barton**, said this Rule is a house keeping issue and requires a charter fee be established in the Rules. He said if it is so established, there will be an annual charter fee of \$100.00.

**MOTION:** **Rep. Lake** made a motion to recommend approval of **Docket No. 02-0426-1101** to the full committee. **Motion carried by voice vote.**

**DOCKET NO. 02-0602-1101:** **Mike Cooper**, Bureau Chief, Division of Plant Industries said this is the annual housekeeping Rule adopting the reference manual listing feed ingredients that change from year to year. He said it also includes the website of where to get the manual.

**MOTION:** **Rep. Batt** made a motion to recommend approval of **Docket No. 02-0602-1101** to the full committee. **Motion carried by voice vote.**

**ADJOURN:** There being no further business to come before the Subcommittee the meeting adjourned at 3:30 p.m.

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Representative Judy Boyle  
Chairman

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Susan Werlinger  
Secretary

AGENDA  
HOUSE AGRICULTURAL AFFAIRS COMMITTEE  
1:30 P.M.  
Room EW20  
Tuesday, January 24, 2012

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#"><u>RS20987</u></a>	Grape growers/wine producers	Roger Batt, Grape Growers/Wine Producers Commission
	Soil & Water Conservation Commission Annual Report	Teri Murrison, Kristen Magruder, Soil & Water Conservation Commission
	Soil & Water Conservation Association Presentation	Bret Rumbleck, Soil & Water Conservation Assoc.

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Andrus	Rep Shirley
Vice Chairman Boyle	Rep Patrick
Rep Lake	Rep McMillan
Rep Stevenson	Rep Batt
Rep Trail	Rep Pence
Rep Bolz	Rep Lacey

COMMITTEE SECRETARY

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MINUTES  
**HOUSE AGRICULTURAL AFFAIRS COMMITTEE**

**DATE:** Tuesday, January 24, 2012

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

**PLACE:** Room EW20

**MEMBERS:** Chairman Andrus, Vice Chairman Boyle, Representative(s) Lake, Stevenson, Trail, Bolz, Shirley, Patrick, McMillan, Batt, Pence, Lacey

**ABSENT/  
EXCUSED:** None.

**GUESTS:** Richard Bronson, SWCC; Max Greenlee, Risch Pisca; Roger Batt, Idaho Grape & Wine Commission; Teri Murrison, Kristen Magruder, Jerry Trebesch, SWCC; Brent Olmstead, MPIIdaho

**Chairman Andrus** called the meeting to order at 1:30 p.m

**Rep. Batt** welcomed several FFA members to the meeting.

**MOTION:** **Rep. Pence** made a motion to approve the minutes of Wednesday, January 18, 2012. **Motion carried by voice vote.**

**MOTION:** **Rep. Batt** made a motion to approve the minutes of the Boyle Subcommittee on Livestock Rules for Wednesday, January 18, 2012. **Motion carried by voice vote.**

**RS 20987:** **Roger Batt**, representing Idaho Grape Growers and Wine Producers Commission, said this proposed legislation will allow the Commission statutory authority to promote Idaho grape products, while meeting the mission and objectives of the Commission through better marketing of the industry. Mr. Batt explained the Commission has frequently been asked to do several promotions and events and has only been able to assist individually licensed wineries with this marketing. He said the Commission feels it is missing out on numerous opportunities for expansion, growth and new potential markets. He said this legislation would allow the Commission the ability to fully promote and market the industry's products. He asked for support and introduction of the legislation.

**MOTION:** **Rep. Bolz** made a motion to introduce **RS 20987**. **Motion carried by voice vote.**

**Teri Murrison**, Administrator, Idaho Soil & Water Conservation Commission, said fiscal year 2012 has been a new start for the Commission. She said they have had significant staffing changes and a major renovation to the Strategic Plan. She said they also have a new partnership agreement. Ms. Murrison said they plan to expand their partnership and achieve more on the ground in 2012. She said they plan to do this with more communication and coordination, have more accountability and transparency and do more with less. She said the goal for today's presentation is to give an overview of their mission and provide an update of the Commission and district relations. She gave a review of the Commissioners and advisors and said they provide district support services. She reviewed their comprehensive conservation and incentive programs.

**Ms. Murrison** reviewed their district support services. She reviewed the Conservation Reserve Enhancement Program and the Resource Conservation and Rangeland Development Program. Ms. Murrison explained the Commission is focused on district outreach and identifying cost savings. She said the Commission still faces challenges as result of the recession, but they are focusing their resources on the districts and programs and they are optimistic about the future. Ms. Murrison said the Commission's charge is to balance natural and human environments benefitting plants, animals, soil, water and air. She said the Commission's job is to help districts and to coordinate voluntary conservation. She said they have fewer resources but are working smarter to provide effective environmental solutions. Ms. Murrison briefly answered questions from the Committee.

**Bret Rumbeck** Executive Director, Idaho Soil & Water Assoc., said 47 of the 50 districts are members of the Association. Mr. Rumbeck showed a video about the Association found at <http://www.youtube.com/watch?v=6rdXvjMUYYs>. He said they have had a significant improvement in technology and communication with the districts and the public and have established the ability to get information to the districts and district chairmen. Mr. Rumbeck said they have also been working with the Commission to develop the new strategic plan.

**ADJOURN:** There being no further business to come before the Committee the meeting adjourned at 2:15 p.m.

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Representative Andrus  
Chairman

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Susan Werlinger  
Secretary

AGENDA  
**HOUSE AGRICULTURAL AFFAIRS COMMITTEE**  
 1:30 P.M.  
 Room EW20  
 Thursday, January 26, 2012

SUBJECT	DESCRIPTION	PRESENTER
	<b><u>Report from Trail Subcommittee on Administrative Rules</u></b>	
Docket Nos.	<a href="#">02-0104-1101</a> , <a href="#">02-0214-1101</a> , <a href="#">02-0630-1101</a> , <a href="#">02-0633-1101</a>	
	<b><u>Report from Bolz Subcommittee on Crop Rules</u></b>	
Docket Nos.	<a href="#">02-0612-1101</a> , <a href="#">02-0620-1101</a> , <a href="#">02-0641-1101</a> , <a href="#">02-0303-1101</a> , <a href="#">60-0504-1101</a>	
	<b><u>Report from Boyle Subcommittee on Livestock Rules</u></b>	
Docket Nos.	<a href="#">46-0101-1101</a> , <a href="#">46-0101-1102</a> , <a href="#">02-0418-1101</a> , <a href="#">02-0430-1101</a> , <a href="#">02-0432-1101</a> , <a href="#">02-0409-1101</a> , <a href="#">02-0420-1101</a> , <a href="#">02-0426-1101</a> , <a href="#">02-0602-1101</a>	
<a href="#">H 412</a>	Grape Growers/Wine Producers	Roger Batt, Idaho Grape Grower/Wine Producers Commission
	An Analysis of How Reducing the Supply of Foreign-Born Labor would Impact Idaho's Economy	Brent Olmstead, Business Coalition for Immigration Reform Priscilla Salant, University of Idaho
	Amalgamated Sugar Company Presentation	Vic Jaro, President/CEO

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Andrus	Rep Shirley
Vice Chairman Boyle	Rep Patrick
Rep Lake	Rep McMillan
Rep Stevenson	Rep Batt
Rep Trail	Rep Pence
Rep Bolz	Rep Lacey

COMMITTEE SECRETARY

Susan Werlinger  
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 Phone: (208) 332-1136  
 email: [swerlinger@house.idaho.gov](mailto:swerlinger@house.idaho.gov)

MINUTES  
**HOUSE AGRICULTURAL AFFAIRS COMMITTEE**

- DATE:** Thursday, January 26, 2012
- TIME:** 1:30 P.M.
- PLACE:** Room EW20
- MEMBERS:** Chairman Andrus, Vice Chairman Boyle, Representative(s) Lake, Stevenson, Trail, Bolz, Shirley, Patrick, McMillan, Batt, Pence, Lacey
- ABSENT/  
EXCUSED:** None.
- GUESTS:** Carol Youtz, Karen Ewing, BOVM; Laura Johnson, ISDA; Sheryl Stalling, Gem Swed/Squaw Creek SCD; Michael Hulz, Andrew Wallentine, Bronson Larson, Greg Duffin, Reed Larsen, Devin Kelley, Zach Porter, Mitch Thackeray, Jakob Avery, Kevin Andrus, Shelby Forester, BYU-Idaho; Sara Fink, Idaho Wine Commission; Roger Batt, Grape & Wine Commission; Scott Leibsle, ISDA; Kristen Magruder, Teri Murrison, SWC; Wally Butler, IFBF; Wyatt Prescott, ICA; Kent Lauer, Idaho Farm Bureau; Pat Barclay, ICIE, Mark Duffin, ISGA; Dennis Tanikuni, Idaho Farm Bureau; Max Greenlee, Risch Pisca.
- Chairman Andrus** called the meeting to order at 1:30 p.m.
- Chairman Andrus** welcomed to the Committee hearing members of BYU-Idaho Agribusiness.
- MOTION:** **Rep. McMillan** made a motion to approve the minutes of Tuesday, January 24, 2012. **Motion carried by voice vote.**
- MOTION:** **Rep. Trail** made a motion to accept the report from the Subcommittee to approve all Administrative Rule Docket Numbers reviewed. **Motion carried by voice vote.**
- Rep. Bolz** reported that the Crop Subcommittee met, they didn't receive any controversial testimony and recommend approval of all five Dockets.
- MOTION:** **Rep. Bolz** made a motion to accept the report from the Crop Rule Subcommittee. **Motion carried by voice vote.**
- Vice Chairman Boyle** said the Livestock Rules Subcommittee met and recommends approval of all Pending and Fee Rules reviewed with the exception of **Docket No. 46-0101-1101 Section 100.02 Subsection c.** and **Docket No. 02-0420-1101 Section 123.01.** which they recommend be rejected.
- DOCKET NO. 46-0101-1101:** **Karen Ewing**, Idaho Board of Veterinary Medicine, said the Board is attempting, in this section of the Docket, to remove refunds to technicians when they withdraw from the license application process prior to review by the Board.
- Rep. Boyle** said the Subcommittee decided to recommend this rule be rejected because in the previous rule the Board is returning the fees to someone who doesn't qualify. The Subcommittee thought this was a fairness issue and the application fees should be returned to everyone.
- Ms. Ewing** said the Board has met since the Subcommittee meeting and found that the other rule was an oversight, they had also meant to strike the refund for a person who is denied a license. She said the Board plans to strike that refund Rule next year.
- MOTION:** **Rep. Lake** made a motion to accept the report of the Subcommittee to reject **Docket No. 46-0101-1101 Section 100.02 Subsection c.** **Motion carried by voice vote.**

**DOCKET NO.  
02-0420-1101:**

**Rep. Boyle** said this Docket relates to the individual animal ID requirements for animals in the Designated Surveillance Areas (DSA). She said the Subcommittee didn't think the language was appropriate because it referred to all intact animals.

**Dr. Bill Barton**, State Veterinarian, Idaho Department of Agriculture, said this section change originally came about after four western states added an identification requirement on Idaho. He said these states are requiring all cattle be officially identified individually when coming from Idaho to their state.

**Rep. Lake** suggested to the Committee, that the Senate has passed this Pending Rule so it makes little difference what the Committee does. He said he personally has a strong feeling about this and he thinks it's an intrusion into the lives of the people being effected.

**MOTION:**

**Rep. Lake** made a motion to accept the report of the Subcommittee to reject **Docket No. 02-0420-1101 Section 123.01. Motion carried by voice vote.**

**H 412:**

**Roger Batt**, Grape Growers/Wine Producers Commission, said currently the Idaho grape and wine industry provides jobs in Idaho and generates around \$80 million into our economy. He said there are 42 wineries and about 1,600 acres of grapes produced in the state. He said they have estimated an increase in revenues in the future for the industry. Mr. Batt said there is also an interest in Table Grape production and its potential markets. He said this legislation will allow the commission to fully promote grape products in Idaho. Mr. Batt reviewed some of the details of the bill. He said the Commission has met with Alcohol Beverage Control of the Idaho State Police Department regarding this legislation and they do not have any issues or concerns with the bill.

**MOTION:**

**Rep. Bolz** made a motion to send **H 412** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Rep. Bolz** will sponsor the bill on the floor.

**Brent Olmstead**, Business Coalition for Immigration Reform, said there have been studies done in other states but no studies have been done in Idaho on this issue. He said the Dairyman's Association hired the University of Idaho to do a study and this presentation to the Committee is the outcome of that study.

**Priscilla Salant**, Agricultural Economist, College of Agriculture, University of Idaho, said she will give an overview in the presentation of what the study was about, how the study was designed, what we learned from the study and the implications for Idaho. She gave a background and asked what if the supply of foreign born labor in Idaho were reduced?

**Ms. Salant** said the economic contribution of immigrants is controversial and studies generally find positive impacts. She said their approach was to do policy analysis and economic modeling. She said an important assumption is whether immigrant and native labor will substitute for each other. Will jobs that immigrants work in be easily filled by native workers?

**Ms. Salant** said the study had two main parts. She said the first was to estimate the size and characteristic of the foreign born labor force. She said most data sources underestimate the size of the foreign born labor force. The second part of the study was to build a model of the Idaho economy. She said using a computable general equilibrium (CGE) model they estimated the economic impacts of reducing the foreign born labor supply. She said it captures the complex nature of supply and demand for different factors of production. She said the model allows the factors to substitute for each other as prices change.

**Ms. Salant** said they looked at two groups of workers, workers with more education and workers with relatively less education. She described what they learned when they ran the model under two different assumptions, a conservative assumption and a less conservative assumption. Ms. Salant described, based on four scenarios, how these types of labor will substitute for each other. She said assuming that foreign and native-born workers with similar education levels would substitute for each other fairly easily, the net effect of reducing the supply of foreign-born, less-educated workers by 25% is a loss of 17,300 jobs. Ms. Salant said there would need to be about 4,100 native workers who are less educated who would take the place of foreign born less education workers, but there would also be less jobs available. She said the model estimates the impact of the state's economy, is the Gross State Product (GSP) would fall by \$430 million. Resulting in a \$43 million reduction in state and local government tax revenues and the total economic out put falls by \$2.3 billion. Ms. Salant reviewed the results if assumptions were less conservative, saying there would be larger impacts in terms of jobs, GSP and tax revenues.

**Ms. Salant** explained what this means for Idaho, saying governance is about trade-offs, in this case, one group of workers benefits to a small extent, while the labor force as a whole and overall economy pay a significant price. She said estimates, based on assumptions and the complex model are consistent with economic theory and logic. She said reducing the supply of inputs such as labor or capital causes the price of that input to increase. Likewise, as the price of the output becomes more expensive, demand for that output declines. Ms. Salant said many states are considering legislation intended to restrict the supply of foreign born workers. If such legislation were passed in Idaho, the analysis shows it would negatively impact the state's economy. She said there would be a decline in jobs, total economic output and tax revenue.

**Colby Cameron**, Sullivan, Reberger, Eiguren, introduced the President/CEO of Amalgamated Sugar Company, **Vic Jaro**.

**Vic Jaro**, President/CEO, Amalgamated Sugar Company, said it was a pleasure to address the Committee and to give information on the company. He said the Snake River Sugar Co. is a grower owned company which took over operating control of Amalgamated in 1997. He said they have 182,000 base acres and about 850 individual shareholders.

**Mr. Jaro** reviewed the large growing area, and explained there are three factory locations in the state. These are: Mini-Cassia, Twin Falls and Nampa. He reviewed each location and the capacities to process sugar for each factory.

**Mr. Jaro** reviewed the types of sugar produced, and explained that all parts of the beet are used. He reviewed the benefits to the state of Idaho. He said a University of Idaho study determined the value of the industry to the state is greater than \$1 billion. Mr. Jaro reviewed the operating schedule and said they are essentially a year round operation.

**Mr. Jaro** reviewed the market, saying after 25 years of relatively flat prices, the market has risen. He said they are appreciative of the good market today and explained why the market is increasing. He explained the company's five year plan, saying they are investing back into the facilities and have a factory improvement program. He said they are about 2/3 of the way through the program which is intended to improve efficiency, reduce energy consumption and lower operating costs.

**Mr. Jaro** reviewed the challenges of the industry, saying the freedom to choose the latest in crop technology has been a challenge. He explained the transportation disadvantages, saying their factories are a long way from everywhere. He said the increase in the federal highway load limit will help. He said another challenge is the Farm Bill and they would like to maintain it in its current form for sugar. Mr. Jaro reviewed the environmental issues. He said they could increase the slice limit at the Mini-Cassia plant and still keep the air quality minimums. He said this plant is one of the most efficient factories in the country and he would like to see the beets sliced there rather than shipping them to the other factories. He said Mexico is exporting aggressively into the US and NAFTA gave Mexico an unlimited supply into the sugar market. He said this is also a major issue they are dealing with.

In response the Committee questions, **Mr. Jaro** stated the beet slicing limitation on the Mini-Cassia plant is on a federal basis. He also said regarding the imports from Mexico, sugar consumption has been able to absorb the increase in supply.

**ADJOURN:** There being no further business to come before the Committee the meeting adjourned at 2:58 p.m.

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Representative Andrus  
Chairman

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Susan Werlinger  
Secretary

AGENDA  
HOUSE AGRICULTURAL AFFAIRS COMMITTEE  
1:30 P.M.  
Room EW20  
Monday, January 30, 2012

SUBJECT	DESCRIPTION	PRESENTER
	The Financial Condition of Idaho Agriculture	Dr. Garth Taylor, Economist, University of Idaho

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Andrus  
Vice Chairman Boyle  
Rep Lake  
Rep Stevenson  
Rep Trail  
Rep Bolz

Rep Shirley  
Rep Patrick  
Rep McMillan  
Rep Batt  
Rep Pence  
Rep Lacey

COMMITTEE SECRETARY

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MINUTES  
**HOUSE AGRICULTURAL AFFAIRS COMMITTEE**

**DATE:** Monday, January 30, 2012  
**TIME:** 1:30 P.M.  
**PLACE:** Room EW20  
**MEMBERS:** Chairman Andrus, Vice Chairman Boyle, Representative(s) Lake, Stevenson, Trail, Bolz, Shirley, Patrick, McMillan, Batt, Pence, Lacey  
**ABSENT/  
EXCUSED:** Representative Boyle  
**GUESTS:** Garth Taylor, University of Idaho; Ben Eborn, UI Extension; Rich Garber, CALS; Dennis Tanikuni, Idaho Farm Bureau

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

**Chairman Andrus** announced February 10, 2012 would be the last day to introduce bills in Committee. Chairman Andrus thanked **Rep. Trail** for his years of service as Committee Chairman.

**Dr. Garth Taylor**, Economist, University of Idaho, said this is a great year to be before the Agricultural Affairs Committee presenting agriculture's annual financial outlook. He said he will present a short outlook for 2012 and the contribution of agriculture to the state economy. He said these projections are on a calendar year not a crop year and there will be a lot of adjustments. He said they have had an all time record year and cash receipts were up to \$7.4 billion in 2011, which is almost a 30% increase. Dr. Taylor said agriculture is bigger now than it ever has been.

**Dr. Taylor** reviewed the highlights from 2011 saying there have been all time record highs in potatoes, sugar beets, and wheat. He said hay is also up 67% in total revenues. He said milk has had four or five new records. Dr. Taylor said onions are the only thing that is down. He said if the growth rate for the last 8 to 10 years stays the same, agriculture in Idaho will double in size every 15 years. He said there has been astounding growth in agriculture.

**Dr. Taylor** explained where the growth has come from in milk production. He said the number of cows is up over 100%, production has grown, while the price has dropped in the past 30 years. He said they are breaking new records by not increasing the price over the long term but by increasing production.

**Dr. Taylor** also explained the growth in potatoes, saying the value of production is up to 100%, but with the inflation adjustment it is only up 25%. He said yield has gone up 40% over the last 30 years and prices have dropped 16%.

**Dr. Taylor** stated the net farm income is \$2.64 billion which is up 88% and is the highest ever. He said livestock receipts are up 25%, crop receipts are up 33% and government payments are down 26%. He said expenses are up and in real dollar terms, stability or volatility is increasing in the net farm income. He said there is more risk for farmers and in agriculture than there ever has been before. He said there are also stricter lending standards and more revenue volatility in tax revenues from agriculture. Dr. Taylor said this doesn't seem to effect the Idaho economy or the rural communities that depend on agriculture.

**Dr. Taylor** reviewed the outlook for 2012 and beyond saying the water outlook looks good, there is strong domestic and export demand, low interest rates and higher land rents. He said the drought monitor will continue to effect beef prices. He said the overall world prices of food is extremely high which is good for farmers.

**Dr. Taylor** explained that economists look at the new dollars brought into state. He said the contribution to the economy is measured in sales or value added or jobs. He said from this perspective, agriculture is the second largest industry in relationship to jobs. He said from a sales standpoint, agriculture is the largest industry in the state. Dr. Taylor said in terms of value added agriculture is the second largest industry in state. He said Idaho is the third largest agriculture state in the west, excluding California.

**Dr. Taylor** gave other individual crop projections saying beef production is at a near record level, there is more yield meaning there is more meat per cow. He said they are seeing some comeback in beef and seeing expansion in herds. He said the key thing for beef is export demand. He reviewed the specific potato projections and said the wheat outlook is expected to be lower. He said the hay production is up in acreage and there are higher yields. He said barley acreage and production are flat and barley production is keyed to corn prices. Dr. Taylor said sugar beet prices are lower, but it is still a profitable crop and with dry beans, the acreage is up and production is higher.

In response to questions from the Committee, **Dr. Taylor** said other livestock prices are up and it is mainly sheep and trout. He answered questions regarding the recent reports which are indicating the world economy continues to grow, and as demand shifts to the western type diet over the next 20 years the U.S. will need to double production just to feed the world. Dr. Taylor said this comes back to yield. He said growth will come from production, which will drive down world prices. He also said highly specialize agriculture will feed the world and us.

**ADJOURN:**

There being no further business to come before the Committee the meeting adjourned at 2:39 p.m.

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Representative Andrus  
Chairman

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Susan Werlinger  
Secretary

AGENDA  
HOUSE AGRICULTURAL AFFAIRS COMMITTEE  
1:30 P.M.  
Room EW20  
Thursday, February 02, 2012

SUBJECT	DESCRIPTION	PRESENTER
	State Immigration Law's Impact on Agriculture	Brent Olmstead, Idaho Business Coalition for Immigration Reform

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Andrus  
Vice Chairman Boyle  
Rep Lake  
Rep Stevenson  
Rep Trail  
Rep Bolz

Rep Shirley  
Rep Patrick  
Rep McMillan  
Rep Batt  
Rep Pence  
Rep Lacey

COMMITTEE SECRETARY

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MINUTES  
**HOUSE AGRICULTURAL AFFAIRS COMMITTEE**

**DATE:** Thursday, February 02, 2012  
**TIME:** 1:30 P.M.  
**PLACE:** Room EW20  
**MEMBERS:** Chairman Andrus, Vice Chairman Boyle, Representative(s) Lake, Stevenson, Trail, Bolz, Shirley, Patrick, McMillan, Batt, Pence, Lacey  
**ABSENT/  
EXCUSED:** Representative(s) Lake  
**GUESTS:** Brent Olmstead, Coalition for Immigration Reform; Kent Lauer, Idaho Farm Bureau  
**MOTION:** **Rep. McMillan** made a motion to approve the minutes of Thursday, January 26, 2012. **Motion carried by voice vote.**  
**MOTION:** **Rep. McMillan** made a motion to approve the minutes of Monday, January 30, 2012. **Motion carried by voice vote.**

**Brent Olmstead**, Idaho Business Coalition for Immigration Reform, said in this presentation he will explain what immigration laws do and give a refresher on the H-2A program. He said he will refer to several states that have passed immigration reform laws and explain what they are and what they have in common.

**Mr. Olmstead** said one of the main problems in agriculture is the changing American work force. He said the native born work force is more educated and is less likely to do manual labor. Mr. Olmstead reviewed how the e-verify system works and said some of the pros to the system are it is free, easy to use, mostly accurate and provides for appeals. He said some of the cons are it cannot be used as a preemployment screening tool, the employee remains in employment during the appeal process, it does not protect against identity theft, and it may create additional work for the employer.

**Mr. Olmstead** reviewed the number of guest worker programs in various states. He said there is no visa program for year round agriculture employees, there is only a seasonal visa. He explained the problems and benefits to the H-2A program. He said some benefits are, it provides an adequate work force, and it is a regulated, legal method for workers. He explained some of the problems are it has a daunting administrative process, the quotas are set too low, the certifications are often issued late and there is no system for non-seasonal labor.

**Mr. Olmstead** reviewed the immigration laws for the states of Alabama, Arizona, Florida, Georgia, North Carolina, South Carolina, Tennessee, and Utah. He explained that each state has something in common, their immigration reform laws are being challenged in the courts. Mr. Olmstead reviewed some of the challenges these states are facing in the courts and the costs to the states. He also reviewed the impacts of the immigration reform laws on agriculture in Georgia, saying over 50 percent of producers reported income losses in agriculture due to lack of workers.

In response to questions from the Committee, **Mr. Olmstead** said the sheep industry has set up a program specific to the sheep industry regarding H-2A employees. He said the quotas are set each year and the rest of agriculture and other industries are envious of the program. He said there are multiple bills in Congress regarding immigration reform and Idaho's delegation are aware of the laws being proposed. In response to more questions from the Committee, Mr. Olmstead gave a summary of where Idaho stands on this issue, saying over the past five years there have been several bills introduced in Idaho similar to Arizona's legislation, but presently there is an executive order to verify employees in Idaho.

**ADJOURN:** There being no further business to come before the Committee the meeting adjourned at 2:16 p.m.

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Representative Andrus  
Chairman

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Susan Werlinger  
Secretary

**AMENDED #1 AGENDA  
HOUSE AGRICULTURAL AFFAIRS COMMITTEE  
1:30 P.M.  
Room EW20  
Monday, February 06, 2012**

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
	Idaho Sheep Commission Annual Report	Stan Boyd, Idaho Sheep Commission
<a href="#">RS20927</a>	Raw milk provisions revised	Rep. Barbieri
<a href="#">H 431</a>	Agriculture	Rep. Hart

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Andrus  
Vice Chairman Boyle  
Rep Lake  
Rep Stevenson  
Rep Trail  
Rep Bolz

Rep Shirley  
Rep Patrick  
Rep McMillan  
Rep Batt  
Rep Pence  
Rep Lacey

COMMITTEE SECRETARY

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MINUTES  
**HOUSE AGRICULTURAL AFFAIRS COMMITTEE**

- DATE:** Monday, February 06, 2012
- TIME:** 1:30 P.M.
- PLACE:** Room EW20
- MEMBERS:** Chairman Andrus, Vice Chairman Boyle, Representative(s) Lake, Stevenson, Trail, Bolz, Shirley, Patrick, McMillan, Batt, Pence, Lacey
- ABSENT/  
EXCUSED:** None.
- GUESTS:** Janie Burns, Meadowlark Farm; Josie Erskine, Peaceful Belly Farm; Patrick Guzzle, Dept. of Health & Welfare; Breland Draper, Idaho Hanger Ruliet Task Force; Stacie Ballard, Ballard Cheese; Elizabeth Young, Garden Vitality LLC; Bob Naerebout, Idaho Dairymen's Assoc.; Elizabeth Criner, NWFPA; Jillian Greenawalt, Green Goat Dairy; Kent Lauer, Idaho Farm Bureau; Bonnie Butler, Governor's Office; Steve Ballard, Ballard Cheese; Benjamin Kelly, Food Producers of Idaho; Bill Barton, ISDA
- Chairman Andrus** called the meeting to order at 1:31 p.m.
- MOTION:** **Rep. McMillan** made a motion to approve the minutes of Thursday, February 2, 2012. **Motion carried by voice vote.**
- Stan Boyd**, Executive Secretary, Idaho Sheep Commission, said in 2000 the Legislature approved the collection of assessments for various programs in the Sheep Commission. He said they contract with the Idaho Wool Growers Association to implement the promotion program. He said currently Idaho is ranked 7th in the nation for number of breeding stock and 7th in nation for wool production. Mr. Boyd said the industry remains strong for prices, there is a good market, but the numbers of sheep in the state has continued to decline. He said there is currently 189,000 head of sheep in Idaho. He said the cost of production has also gone up.
- Mr. Boyd** said the Sheep Commission is in charge of the regulatory health program in Idaho for sheep and goats. He said the General Fund money received by the Commission is not used to promote the industry but to regulate the health of animals in Idaho. He said it has been recommended the Sheep Commission change its name to the Idaho Sheep and Goat Health Board. He said there will be legislation introduced to make that change.
- Mr. Boyd** explained the Commission charges an assessment of 8 cents per pound of wool sold. He explained how the amount is divided and reviewed the amounts in the promotion account. He reviewed the statement of cash flow and explained where the moneys were expended. He said the portion of money for promotion helps keep the industry in front of the public eye. He said right now the prices are high which is encouraging people who want to expand into the industry. Mr. Boyd explained the three primary problems in the industry. These are: predators including wolves; labor, dealing with immigration and public land issues, which is the most frustrating.
- Mr. Boyd** responded to Committee questions regarding the percentage of money going into Animal Damage Control, specifically depredation by wolves and how to significantly increase the number of sheep in Idaho.
- RS 20927:** **Rep. Barbieri** said this proposed legislation will eliminate the cow share program, which he felt was an unnecessary layer in the raw milk rules. He said there is still the provision for having the raw milk and products tested and nothing changes for bacterial content. He said the proposed changes continue to protect the consumer and opens the market further for raw milk producers.

Concerns from the Committee were expressed regarding opening this up to everybody to produce raw milk and sell it. That there had been compromises reached last year in the Rules and this legislation would take away those compromises. **Rep. Barbieri** answered concerns from Committee members regarding whether he had worked with the two groups involved last year in the Rules and whether he had checked the practices of other states regarding cow shares.

**MOTION:** **Rep. Patrick** made a motion to return **RS 20927** to the sponsor. **Motion carried by voice vote**, with **Rep. McMillan** being recorded as voting **NAY**.

**H 431:** **Rep. Hart** said he was not prepared to present the legislation at this time, he requested the bill he held at the Call of the Chair.

**MOTION:** **Rep. Lake** made a motion to **hold H 431 at the Call of the Chair. Motion carried by voice vote.**

**ADJOURN:** There being no further business to come before the Committee the meeting adjourned at 1:58 p.m.

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Representative Andrus  
Chairman

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Susan Werlinger  
Secretary

AGENDA  
HOUSE AGRICULTURAL AFFAIRS COMMITTEE  
1:30 P.M.  
Room EW20  
Wednesday, February 08, 2012

<u>SUBJECT</u>	<u>DESCRIPTION</u>	<u>PRESENTER</u>
	Idaho Rangeland Resource Commission Annual Report	Gretchen Hyde, Executive Director
	Idaho Potato Commission Annual Report	Frank Muir, President/CEO
<a href="#"><u>H 389</u></a>	Weights/measures dedicated fund	Kevin Merritt, Dept. of Agriculture
<a href="#"><u>RS21201</u></a>	Honey	Rep. Bolz
<a href="#"><u>RS21176</u></a>	Sheep and Goat Health Board	Stan Boyd, Idaho Sheep Commission
<a href="#"><u>RS20873C1</u></a>	Animal cruelty, penalties revised	Rep. Trail
<a href="#"><u>RS21061</u></a>	Cockfighting, penalties for	Rep. Trail
<a href="#"><u>RS21126C1</u></a>	Primates/large felids/possession of	Rep. Trail

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Andrus  
Vice Chairman Boyle  
Rep Lake  
Rep Stevenson  
Rep Trail  
Rep Bolz

Rep Shirley  
Rep Patrick  
Rep McMillan  
Rep Batt  
Rep Pence  
Rep Lacey

COMMITTEE SECRETARY

Susan Werlinger  
Room: EW62  
Phone: (208) 332-1136  
email: [swerlinger@house.idaho.gov](mailto:swerlinger@house.idaho.gov)

MINUTES  
**HOUSE AGRICULTURAL AFFAIRS COMMITTEE**

- DATE:** Wednesday, February 08, 2012
- TIME:** 1:30 P.M.
- PLACE:** Room EW20
- MEMBERS:** Chairman Andrus, Vice Chairman Boyle, Representative(s) Lake, Stevenson, Trail, Bolz, Shirley, Patrick, McMillan, Batt, Pence, Lacey
- ABSENT/  
EXCUSED:** None.
- GUESTS:** Kevin Merritt, Fred Rios, ISDA; Gretchen Hyde, IRRRC; Lisa Kauffman, HSUS; Bill Barton, ISDA; Rick Waitley, Benjamin Kelly, Food Producers of Idaho; Dennis Tanikuni, Idaho Farm Bureau; Brent Olmstead, MPIIdaho; Stan Boyd, IWGA; Kent Lauer, Idaho Farm Bureau
- Chairman Andrus** called the meeting to order at 1:31 p.m.
- MOTION:** **Rep. Pence** made a motion to approve the minutes of Monday, February 6, 2012. **Motion carried by voice vote.**
- H 389:** **Kevin Merritt**, Idaho Department of Agriculture, said the intent of this legislation is to bring the weights and measures program in line where it can stand on its own merit. He said they want this to be a user paid program. This legislation will allow the funds to be moved into a dedicated source, where it will be more manageable and self sufficient. Mr. Merritt reviewed the costs of the program and said this will reduce the General Fund.
- MOTION:** **Rep. Trail** made a motion to send **H 389** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Trail** will sponsor the bill on the floor.
- RS 21201:** **Rep. Bolz** said this proposed legislation makes major changes to Idaho Code. He reviewed the changes, saying this will create labeling standards for honey and revises definitions and defines terms. He said it creates a new chapter which revises the duties of the Commission, these duties follow the same kind of procedures as other commissions in agriculture. He said it provides for the promulgation of rules. **Rep. Bolz** said this issue was brought to his attention based on written complaints on the retail sale level. He said this legislation will also provide for penalties for violations.
- MOTION:** **Rep. Shirley** made a motion to introduce **RS 21201.** **Motion carried by voice vote.**
- RS 21126C1:** **Rep. Trail** said he has discovered the need for additional information on this proposed legislation.
- UNANIMOUS  
CONSENT  
REQUEST:** **Chairman Andrus** made a unanimous consent request to return **RS 21126C1** to the sponsor. There being no objection, the request was granted.
- RS 20873C1:** **Rep. Trail** reviewed the history of this animal cruelty legislation. He said there has been a number of attempts to pass this type of legislation. He reviewed the changes in the legislation, saying it revises a definition and defines the term torture. He said this provides penalties for violations which is the main content of the proposal.

**MOTION:** **Rep. Lacy** made a motion to introduce **RS 20873C1**. **Rep. Lake** requested a roll call vote. **Motion failed by a vote of 3 AYE, 8 NAY, 1 Absent/Excused. Voting in favor** of the motion: **Reps. Trail, Pence and Lacey. Voting in opposition** of the motion: **Reps. Boyle, Lake, Stevenson, Shirley, Patrick, McMillan, Batt and Andrus. Rep. Bolz was Absent/Excused.**

**RS 21061:** **Rep. Trail** said this proposed legislation concerns cockfighting. He said the penalty for cockfighting will be the same as for dog fighting. **Rep. Trail** gave an example of cockfighting. He said this legislation is simple and straight forward in that it changes the status of the penalty from a misdemeanor to a felony upon conviction.

In answers to questions from the Committee, **Rep. Trail** said a spectator is not indicated in the legislation as participating in the cockfighting. He said in would only be those who are handling the fighting cocks.

**MOTION:** **Rep. Pence** made a motion to introduce **RS 21061**. **Rep. Lake** requested a roll call vote. **Motion failed by a vote of 3 AYE, 8 NAY, 1 Absent/Excused. Voting in favor** of the motion: **Reps. Trail, Pence and Lacey. Voting in opposition** of the motion: **Reps. Boyle, Lake, Stevenson, Shirley, Patrick, McMillan, Batt and Andrus. Rep. Bolz was Absent/Excused.**

**RS 21176:** **Stan Boyd**, Idaho Wool Growers Assoc., said the Idaho Sheep Commission was established in 1929 and was created to regulate animal health in Idaho. He said the Commission is in the Division of Animal Industries within the Department of Agriculture and they work closely with the Department on animal health issues. He said the Commission does receive General Fund money. He said it has been suggested the Commission change its name to alleviate confusion with other Commissions that were created to promote their industries. **Mr. Boyd** said the main purpose of this proposed legislation is to change the name of the Idaho Sheep Commission to the Idaho Sheep and Goat Health Board. He said another change is to the assessment the Commission collects. It will raise the assessment ceiling to 12 cents, but will not raise the actual assessment of 6 cents per pound of wool sold, at this time. **Mr. Boyd** said this will also repeal two sections regarding audit requirements, since the Commission is part of Animal Industries and it is a self auditing system, there was no need for this requirement.

**Mr. Boyd** answered questions from the Committee regarding the assessments coming from wool and how they would collect assessments from goats. He said they have discussed having the assessment be prorated per head if there is no wool involved.

**MOTION:** **Rep. McMillan** made a motion to introduce **RS 21176. Motion carried by voice vote.**

**Gretchen Hyde**, Executive Director, Idaho Rangeland Resource Commission, said they have worked with good people in the state. She said their vision and goals have continued and they have made a lot of accomplishments over the years. She said the Commission has continued to be a flagship for range programs and they have extended their outreach through the internet. **Ms. Hyde** said they've worked closely with state and federal agencies and they work through partnership to obtain similar goals. She said they continue to do educational campaigns and are working on increasing the ability to have information for K-12 on rangelands. She said they continue to post videos and stories on the "Life on the Range" website. She said the Commission is in the process of updating their website. She reviewed the changes to their website and said the website has gotten positive feedback. **Ms. Hyde** said they continue to work closely with the University of Idaho on teacher workshops and the University has elevated their range center. **Ms. Hyde** reviewed their financial statements and said they have worked hard to streamline their projects.

**Frank Muir**, President/CEO, Idaho Potato Commission, said he appreciated being here and said he will focus on the financial side of the Commission for his report. He said over the last year their focus has been on revenue and the revenue has exceeded the budget. He said they had the reserve to spend more money and the Commissioners approved the spending. He said an incremental amount of dollars went to pay for the Idaho Potato Bowl game. He said they are now in a six year contract for the bowl game. He said since the bowl game the Commission has had 4 million media impressions. Mr. Muir said their next project is the Idaho Potato Tour. He gave a review of the budget and explained some other sources of revenue.

**ADJOURN:** There being no further business to come before the Committee the meeting adjourned at 2:54 p.m.

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Representative Andrus  
Chairman

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Susan Werlinger  
Secretary

AGENDA  
HOUSE AGRICULTURAL AFFAIRS COMMITTEE  
1:30 P.M.  
Room EW20  
Tuesday, February 14, 2012

SUBJECT	DESCRIPTION	PRESENTER
	Idaho State Department of Agriculture International Trade Offices Annual Report	
	Idaho-Asia Trade Office Report	Eddie Yen, Taipei, Taiwan
	Idaho-China Trade Office Report	Xu Fang, Shanghai, China
	Idaho-Mexico Trade Office Report	Armando Orellana, Guadalajara, Mexico
	Idaho Wheat Commission Annual Report	Blaine Jacobson, Executive Director

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Andrus	Rep Shirley
Vice Chairman Boyle	Rep Patrick
Rep Lake	Rep McMillan
Rep Stevenson	Rep Batt
Rep Trail	Rep Pence
Rep Bolz	Rep Lacey

COMMITTEE SECRETARY

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MINUTES  
**HOUSE AGRICULTURAL AFFAIRS COMMITTEE**

**DATE:** Tuesday, February 14, 2012  
**TIME:** 1:30 P.M.  
**PLACE:** Room EW20  
**MEMBERS:** Chairman Andrus, Vice Chairman Boyle, Representative(s) Lake, Stevenson, Trail, Bolz, Shirley, Patrick, McMillan, Batt, Pence, Lacey  
**ABSENT/  
EXCUSED:** Representative(s) Lake, and McMillan.  
**GUESTS:** Laura Johnson, Idaho Dept. of Agriculture

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

**Laura Johnson**, Idaho Dept. of Agriculture, said agriculture exports are important to Idaho's economy. She said they shattered last years record for exports out of Idaho which is up 22%. She said there is a strong global demand and Idaho has three strong international trade offices. Ms. Johnson recognized the Director of the Department of Agriculture, **Celia Gould** and the Lieutenant Governor, **Brad Little**, who are both champions of international trade. She also introduced the trade officers.

**Eddie Yen**, Taiwan Trade Officer, said it was an honor to be back with the Committee and gave an overview of Taiwan. He said the economy was slow in the World overall but Taiwan's economy has grown. He said there is a great market for Idaho products. He gave a comparison of markets and said Taiwan was the sixth largest export market for Idaho products in 2011. He reviewed the main and new export items to Taiwan. Mr. Yen reviewed some new opportunities in the Taiwan market and explained several selected promotions that went on during 2011. He reviewed other tourism and agriculture promotions. He explained several convenient tools for marketing, such as newsletters, facebook, websites and brochures.

**Mr. Yen** answered questions from the Committee regarding the sturgeon and beef market in Taiwan. He also answered questions regarding students from Asian countries coming to Idaho to study.

**Xu Fang**, China Trade Officer, gave an overview of China's economy for 2011. He said the economy continues to grow and is the World's 2nd largest economy. He said China is Idaho's fourth largest export market for Agriculture products and exports were up in 2011. Mr. Fang reviewed the main exports which are, whey, vegetable seeds, dehydrated potatoes, lactose, wheat, alfalfa, and pork. He reviewed several promotion events in 2011 including the China Dairy Expo, which is the largest event for their industry. He reviewed other upcoming events they are planning. He reviewed the Governor's Idaho Trade Mission to China and gave some details about the State of Idaho China office.

**Armando Orellana**, Mexico Trade Officer, gave a brief overview of the Mexican economy. He said the economy is improving from what it was in 2009. He said it is a good market for investors and companies. He said the growth rate is lower, and further growth will be reflective of the elections this year. Mr. Orellana explained the inflation and exchange rates, and said the peso has been very strong over the past few years. He said the economy is doing well and the consumer has money to spend. He reviewed the drought conditions that Mexico is facing, saying it has been the worse drought in 70 years. Mr. Orellana said security is a major concern for all citizens and the cost has impacted the economy. He said it is a regionalized problem and most of Mexico is still safe. He said Mexico is Idaho's second largest export destination for agriculture products. He reviewed the main activities for promotion and the Governor's Trade Mission to Mexico. He said sales are expected to exceed over 30 million dollars from the trade mission.

**Blaine Jacobson**, Executive Director, Idaho Wheat Commission, said the wheat industry production and consumption continue to increase worldwide. He said it continues to be a strong industry and they have had a very robust production year. He reviewed the World wheat supply and demand saying a high percentage of wheat went into feed. Mr. Jacobson said wheat stocks are back to what they were 10 years ago and wheat prices continue to be very attractive. He explained World wheat imports continue to grow and reviewed the top ten export customers for US wheat. He reviewed the key points of supply and demand and said they hosted 4 or 5 wheat buying teams. He explained the investing that needs to be done in the wheat industry. He said they want to fund areas where they are seeing a return. Mr. Jacobson explained the wheat seed breeding advances, saying there is a competitive advantage for Idaho varieties over other varieties. He explained other technology advances. He reviewed the World wheat trade and gave projections of growth. In summary, Mr. Jacobson said there will be more changes in the industry in the next five years, than there has been in the last 30 years. He said private companies are looking for public partnerships and there is rapidly expanding opportunity for wheat and other agriculture products over the next 20 years.

**Rep. Trail** gave a historical note on the discussion of animal cruelty legislation in the state, saying during the Third Legislature in 1897 a specific committee was formed to deal with animal cruelty issues.

**MOTION:** **Rep. Pence** made a motion to approve the minutes of Wednesday, February 8, 2012. **Motion carried by voice vote.**

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

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Representative Andrus  
Chairman

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Susan Werlinger  
Secretary

AGENDA  
HOUSE AGRICULTURAL AFFAIRS COMMITTEE  
1:30 P.M.  
Room EW20  
Thursday, February 16, 2012

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#">RS21270</a>	Veterinary Medical Board, rule rejected	Rep. Boyle
<a href="#">RS21272</a>	Department of Agriculture, rule rejected	Rep. Lake
	Idaho Beef Council Annual Report	Traci Bracco, Executive Director

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Andrus	Rep Shirley
Vice Chairman Boyle	Rep Patrick
Rep Lake	Rep McMillan
Rep Stevenson	Rep Batt
Rep Trail	Rep Pence
Rep Bolz	Rep Lacey

COMMITTEE SECRETARY

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MINUTES  
**HOUSE AGRICULTURAL AFFAIRS COMMITTEE**

- DATE:** Thursday, February 16, 2012
- TIME:** 1:30 P.M.
- PLACE:** Room EW20
- MEMBERS:** Chairman Andrus, Vice Chairman Boyle, Representative(s) Lake, Stevenson, Trail, Bolz, Shirley, Patrick, McMillan, Batt, Pence, Lacey
- ABSENT/  
EXCUSED:** Representatives Patrick and Batt.
- GUESTS:** Traci Bracco, Idaho Beef Council; Dennis Stevenson, Rules Coordinator; Laura Johnson, ISDA
- Chairman Andrus** called the meeting to order at 1:30 p.m.
- MOTION:** **Rep. Pence** made a motion to approve the minutes of Tuesday, February 14, 2012. **Motion carried by voice vote.**
- Chairman Andrus** recognized the Committee page, **Susie McHan**, for her work during the first half of the Session.
- RS 21270:** **Rep. Boyle** said this Concurrent Resolution will reject the rule for the Veterinary Board of Medicine that the Subcommittee recommended and the Committee voted to reject. She said it relates to a fee not being returned to those who withdrew from the licensing process. She said one rule would return the fee to those who were dishonest during the license process but not to those who withdrew. She said it is a fairness issue.
- MOTION:** **Rep. Bolz** made a motion to introduce **RS 21270** and send it to the Second Reading Calendar. **Motion carried by voice vote.** **Rep. Boyle** will sponsor the bill on the floor.
- RS 21272:** **Rep. Lake** said this Concurrent Resolution will reject the rule that requires identification of all intact animals that come out of an DSA . He said during the Subcommittee meeting they felt this rule was overreaching for the identification of these animals. He said it is hoped that the Department would come back with rules that were not so broad.
- MOTION:** **Rep. Shirley** made a motion to introduce **RS 21272** and send it to the Second Reading Calendar. **Motion carried by voice vote.** **Rep. Lake** will sponsor the bill on the floor.
- Traci Bracco**, Idaho Beef Council, said the Council is the marketing arm for the beef producers of Idaho. She said their mission is to build consumer demand for beef through programs and increase the opportunity for producer profitability. She reviewed check off dollar amounts and said Idaho is one of six states that have an additional check off assessment. She said about half of the check off money collected stays in Idaho for Idaho promotion.
- Ms. Bracco** explained the check off dollars are used for promotion, research, consumer and industry information, foreign marketing and producer communication activities. She reviewed some of the marketing programs they are doing. She said another area they have worked hard on is food service and retail programs. She said they have programs to ensure beef is properly merchandised in grocery stores and there is a knowledge of the beef cuts. She said they have executed several programs for the sale of beef and have built successful retail programs. She said on the food service side their focus is with the distributor sales reps and it is important the sales reps are trained.

**Ms. Bracco** reviewed the youth programs, saying they are educating the next generation of users, who represent tomorrow's shoppers. She said they have fun ways to educate children and programs that excite teachers, who are able to teach on the industry's behalf. She said their programs for health partners include presenters at health conferences. It is important that doctors understand the health benefits of beef. They have provided nutritional professionals as key note speakers for conferences around the state. She said they have been able to offer credibility on the industry's behalf.

**Ms. Bracco** said these check off dollars are reaching Idaho consumers and events throughout Idaho and these programs are important in raising consumer awareness. She explained they also send money outside the state. She said it is important to market in other states and in foreign markets. She explained exports have reached an all time high. Ms. Bracco reviewed their budget and said they are pleased with the results they had last year and are on track for this year.

In answers to Committee questions, **Ms. Bracco** said the average consumer eats beef about 1.9 times per week, this is a decrease in consumption. She said the check off assessment is collected each time the cattle changes ownership and checkoff dollars are very limited on what they can be spent on, as per the Beef Promotion Act.

**ADJOURN:** There being no further business to come before the Committee the meeting adjourned at 2:05 p.m.

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Representative Andrus  
Chairman

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Susan Werlinger  
Secretary

AGENDA  
HOUSE AGRICULTURAL AFFAIRS COMMITTEE  
1:30 P.M.  
Room EW20  
Monday, February 20, 2012

SUBJECT	DESCRIPTION	PRESENTER
	Idaho Barley Commission Annual Report	Kelly Olson, Administrator
	Nez Perce Farm Bureau Update	Robert Blair, President
	College of Agricultural and Life Sciences Update	Dr. John Hammel, Dean

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Andrus	Rep Shirley
Vice Chairman Boyle	Rep Patrick
Rep Lake	Rep McMillan
Rep Stevenson	Rep Batt
Rep Trail	Rep Pence
Rep Bolz	Rep Lacey

COMMITTEE SECRETARY

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MINUTES  
**HOUSE AGRICULTURAL AFFAIRS COMMITTEE**

**DATE:** Monday, February 20, 2012  
**TIME:** 1:30 P.M.  
**PLACE:** Room EW20  
**MEMBERS:** Chairman Andrus, Vice Chairman Boyle, Representative(s) Lake, Stevenson, Trail, Bolz, Shirley, Patrick, McMillan, Batt, Pence, Lacey  
**ABSENT/  
EXCUSED:** Representative(s) Stevenson  
**GUESTS:** Kelly Olson, Idaho Barley Commission; Dar Olberding, Idaho Grain Producers; Robert Blair, Blair Farms/Eisenhower Fellowship; Charlotte Eberlein, University of Idaho Extension; Kent Lauer, Idaho Farm Bureau

A quorum being present **Chairman Andrus** called the meeting to order at 1:31 p.m.

**MOTION:** **Rep. McMillan** made a motion to approve the minutes of Thursday, February 16, 2012 with the following correction: On page 1, paragraph 3, instead of ESA, it should be DSA. **Motion carried by voice vote.**

**Kelly Olson**, Idaho Barley Commission, said she is privileged to share her report with the others doing presentations today. She introduced their current Vice Chairman, **Dwight Little**. She said Idaho became the number one barley producer in 2011. She reviewed the harvested acreage, average yield, production and acreage type for barley. She said their farm-gate receipts estimated at \$232 million which is up 15% from 2010. Ms. Olson reviewed the top seven producing counties in the state and said of the seven top counties 5 are in eastern Idaho. She also said there are three malt barley processing plants within a 50 mile radius in eastern Idaho. She reviewed Idaho barley trends saying the acreage is down 37% in the past 20 years but production is only down 22% in the past 20 years. She said this has a direct effect on the Barley Commission and their ability to produce revenue. Ms. Olson reviewed their budget highlights. She said the Commission is very proactive in addressing funding needs that occur during the fiscal year. She said the effect is consistent with the trend for declining production, which is declining revenue. She reviewed how their expenses were allocated.

**Ms. Olson** said barley research remains a top priority and usually means a long term investment. She said in variety development they are looking at a 12 to 15 year investment. She said they are finding more barley checkoff dollars are needed to offset the declining state and federal money. Ms. Olson stated the Barley Commission has had to make up the difference in research were federal and state money has been cut. She said they have found some very interesting results which have lead to some variety releases.

**Ms. Olson** reviewed their grower services, saying this is their largest category for expenses. She reviewed their upcoming workshops around the state and said they have made a big impact on improving barley growing crop insurance. She said barley insurance hasn't been equal with other crop insurances for providing protection. She explained some of the changes made in the crop insurance.

**Ms. Olson** reviewed some strategic initiatives saying one of the largest ones is the malt barley export. She said domestic beer sales are declining and reviewed the beer demographic they are faced with. She also reviewed the food barley strategic initiatives. She said other strategic initiatives are focused on fish feed ingredients, which shows great promise. She said research in winter barley also shows great promise. She said there are high yields with winter barley and new and experimental lines.

In response to Committee questions, **Ms. Olson** said they want to embrace technology in the production of new varieties but are cautious. She said more producers want to plant malt barley, but there are commercial opportunities for winter feed barely. She said almost all the malt barley seed is grown in Idaho. In response to more Committee questions, Ms. Olson explained the range of protein being extracted from barley for fish food. She said with the barley purification process, barley now matches or exceeds soy bean protein but it cannot be fed as a whole grain. She said barley could easily compete with soy beans for fish meal.

**Rep. Trail** introduced **Bob Blair**, Nez Perce Farm Bureau President.

**Robert Blair**, President, Nez Perce Farm Bureau, said in 2010 he applied for the Eisenhower Fellowship and was chosen in 2012. He reviewed the fellowship saying it is a multi national program and only 30 fellows per year are chosen. He explained what an Eisenhower Fellowship is. Mr. Blair reviewed the areas in Argentina he visited. He reviewed the geography of Argentina. He also reviewed areas in Uruguay, and explained the terrain in the region and the geography. He also reviewed the areas in Brazil that he visited and its geography.

**Mr. Blair** gave comparisons to the United States saying there are more tractors and land being utilized and more technology in the US. He explained the agriculture rank of these countries in the World and reviewed the similarities and differences to the US. He reviewed the general agriculture saying they have the same types of dealerships and run the same type of equipment. Mr. Blair explained the differences between large and small farms. He said there is some till land but the majority of the land is no-till and there is surprisingly not much irrigation.

**Mr. Blair** said the cattle industry is big and they are moving away from just grazing and incorporating more feed lots. He said beef is a major food source and a lot of leather products are being produced. Mr. Blair said there is a mining industry in Brazil and they have a timber industry, but it is mostly a pulp timber industry.

**Mr. Blair** explained the purpose for his travels was to teach and connect with the farmers. He said he taught farmers about precision agriculture. He taught seeding, and used unmanned air vehicles as an example to show images of damage from storms. He did outreach and learned about their countries and cultures, he also created a network and connected with his other fellows. He said they averaged about 19 meetings in each country. Mr. Blair asked farmers their biggest challenges and biggest opportunities. He said their challenges are the government and regulations, environmentalists, and feeding 9.5 billion people. He said their opportunities are feeding 9.5 billion people, room to expand agriculture and precision agriculture. He said Brazil has room to expand agriculture without cutting down trees. He explained they have acreage set aside for trees. He said there is opportunity to be good stewards of the land and to use technology to know every acre of the land. He said older farmers don't understand the technology and there is also a lack of support from service providers. He said for agriculture to grow they need to be efficient, but they also need advocacy and awareness with the industry and within the public and government.

**Chairman Andrus** introduced the new Page for the second half of the Session, **Aubrienne Christensen**.

**Dr. John Hammel**, Dean, Agricultural Research & Extension Services, said his presentation is about agriculture's contribution to Idaho's economy. He reviewed Idaho's current commodities and said they have had a good year overall. He explained the impact of agriculture on Idaho's economy and economic job base. Dr. Hammel said agriculture accounts for 11% of jobs in Idaho. He also said that 90% of what is grown and processed in Idaho is not consumed in Idaho. He reviewed the impact on the economic base output, saying 12% of the states GSP is derived from agriculture.

**Dr. Hammel** reviewed the Agriculture Research and Extension Services (ARES) contribution to Idaho saying an increase in agriculture production must come from technology. He said ARES deal with the increase of yield and disease problems. Dr. Hammel gave some examples of the types of things that are being researched. He said the ARES contributions in wheat and beans expertise are important.

**Dr. Hammel** reviewed the Agriculture Research and Extension Service appropriation. He said the capacity funding is critical and essential for everything they do. He said they are finding solutions for agriculture related problems and the majority of funds are related to faculty and expertise costs. He explained base capacity and said it is important to have a balance in capacity. He reviewed their grants and their history of collaborations and partnerships. He said if you don't maintain capability you won't be able to have partnerships. He detailed some of the collaborations and partnerships and said they have exchanges of information through their partnerships. He said he had the opportunity to travel to Brazil for the trade mission.

In response to Committee questions, **Dr. Hammel** said that crop variety breeding is not funded by the USDA or others. He said some groups have stepped up to provide money for those ventures. He said there may be concern that the money from commodity groups help point where the research should go, but these are not the only dollars being utilized. He said they work a balance between the different commodities on research.

**ADJOURN:** There being no further business to come before the Committee the meeting adjourned at 3:15 p.m.

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Representative Andrus  
Chairman

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Susan Werlinger  
Secretary

AGENDA  
**HOUSE AGRICULTURAL AFFAIRS COMMITTEE**  
1:30 p.m. or Upon Adjournment  
Room EW20  
Wednesday, February 22, 2012

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#">H 513</a>	Honey	Rep. Bolz
<a href="#">H 512</a>	Sheep and Goat Health Board	Stan Boyd, Idaho Sheep Commission
<a href="#">S 1259</a>	Wheat Commission	Dar Olberding, Idaho Wheat Commission
	Rangeland Center Update	Dr. Karen Launchbaugh, Professor in Range Resources

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Andrus  
Vice Chairman Boyle  
Rep Lake  
Rep Stevenson  
Rep Trail  
Rep Bolz

Rep Shirley  
Rep Patrick  
Rep McMillan  
Rep Batt  
Rep Pence  
Rep Lacey

COMMITTEE SECRETARY

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MINUTES  
**HOUSE AGRICULTURAL AFFAIRS COMMITTEE**

- DATE:** Wednesday, February 22, 2012
- TIME:** 1:30 PM or Upon Adjournment
- PLACE:** Room EW20
- MEMBERS:** Chairman Andrus, Vice Chairman Boyle, Representative(s) Lake, Stevenson, Trail, Bolz, Shirley, Patrick, McMillan, Batt, Pence, Lacey
- ABSENT/  
EXCUSED:** Representative(s) Stevenson
- GUESTS:** Rick Kelly, Dennis Tanikuni, Frank Priesley, Idaho Farm Bureau; Margie Watson, Gerald Henggeler, IVAC; Karen Launchbaugh, University of Idaho, Benjamin Kelly, Idaho Honey Industry Assoc., Lloyd Knight, ISDA; Ned Moon, Blaine Jacobson, Joe Anderson, Gordon Gallup, Jerry Brown, Bill Flory, Idaho Wheat Commission; Dar Olberding, Travis Jones, Clark Kauffman, Jeff Tee, Joseph Anderson, Idaho Grain Producers Association.
- Chairman Andrus** called the meeting to order at 2:53 p.m.
- MOTION:** **Rep. Pence** made a motion to approve the minutes of Monday, February 20, 2012. **Motion carried by voice vote.**
- H 513:** **Rep. Bolz** said there is concern that honey is being adulterated and is not true honey. He said there are 29 states that have legislation or pending legislation that is similar to this legislation. He said the FDA has decided they would not set standards federally for honey. He said states would have to set their own standards and now several states are doing that. **Rep. Bolz** reviewed the bill section by section.
- MOTION:** **Rep. Shirley** made a motion to send **H 513** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Bolz** will sponsor the bill on the floor.
- H 512:** **Stan Boyd**, Idaho Wool Growers Association, said the Sheep Commission is charged with the regulatory health of sheep and goats in the state of Idaho. He said other commissions in the state deal with advertising for their industry. He said ninety percent of the bill will change the name of the Sheep Commission to the Idaho Sheep and Goat Health Board. **Mr. Boyd** said the other part of the bill will allow a change in the assessment ceiling charged by the Commission. He explained how the assessment is divided between the regulatory health of animals and the Animal Damage Control program. **Mr. Boyd** said there were questions regarding the authority to collect assessments on goats. He said it was determined in the fee section that there was no authority to assess goats. **Mr. Boyd** asked the Committee to add this amendment to the legislation. He also said there is an amendment from the Governor's Office adding a provision to the legislation to relieve a member of the board if necessary.
- In answers to the Committee questions, **Mr. Boyd** said they have discussed how to assess goats and believe it will be on a per head basis that is comparable to the amount they assess for wool on sheep. He also said they are working out the details on whether the assessment will be on an annual basis and how they will inform goat owners of the assessment.
- MOTION:** **Rep. Bolz** made a motion to send **H 512** to **General Orders** with Committee amendments attached. **Rep. Lake** seconded the motion. **Motion carried by voice vote.** **Rep. Andrus** will sponsor the bill on the floor.

**S 1259:**

**Dar Olberding**, Idaho Grain Producers Assoc., said this legislation has come from a good process and he would yield to others present from the industry.

**Gordon Gallop**, Commissioner, Idaho Wheat Commission, introduced some of the Wheat Commissioners that were present. He said the Wheat Commission was established to promote the wheat industry. He said after being faced with budget challenges the assessment increase is important. He said they want to ensure that cutting edge technology is available for wheat producers in Idaho.

**Frank Priestly**, Idaho Farm Bureau, thanked the Committee for the opportunity to express Farm Bureau's support for this legislation. He said the assessment paid to the commodity commission is imposed by the members of the industry to fund research, information, and promotion for the industry. He said the Commission has said they won't automatically increase the assessment and can also decrease the assessment if necessary. He reviewed the other new language in the bill.

**Joe Anderson**, Idaho Wheat Commission, spoke in support of **S 1259** on behalf of the wheat growers of Idaho. He said this specifically addresses a tool to ensure the long term viability of wheat research and education. He said this is needed to attract and retain quality personnel and top scientists who provide research in the wheat industry. He said this is also an investment in students who will provide scientists in the future.

**Joseph Anderson**, President, Idaho Grain Producers Assoc., said the Commission has discussed the need for an increase in the assessment in Idaho. He said growers understand the value of the investment and the Wheat Commission has done a good job in stewarding investment dollars. He said he believes the time is right to pass this assessment increase. He said the money will go a long way at shoring up budgets and will allow commissioners more flexibility down the road. He said in their board meetings and at the convention, producers have supported this unanimously. He asked the Committee to please join in promoting the wheat industry by passing this legislation.

In response to Committee questions, **Blaine Jacobson**, Idaho Wheat Commission, said the legislation includes cleanup language for the purpose of bringing the Commission up to date and in line with other Commissions.

**MOTION:**

**Rep. Patrick** made a motion to send **S 1259** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Patrick** will sponsor the bill on the floor.

**Dr. Karen Launchbaugh**, University of Idaho, said the University was one of the first Universities to offer a degree in range management. She said the people in Idaho and in the World are dependent on rangelands. She explained the Rangeland Resource Center vision. She said they need to think broader and bring people together to do science in a new way. She said they have created a new vision for research and outreach. They are building a network of people who want to advance the understanding of rangelands. **Dr. Launchbaugh** said they have brought the right people to the table to work in the Center. She said they don't have much staff, but are utilizing interns, and they are the working hands of the Center.

**Dr. Launchbaugh** explained the rangeland mission, which is science and solutions for the range. She said they are creating insight where it is needed, and promoting active partnerships with individuals, organizations and communities. She said their focus is on research and education to produce solutions for rangeland issues.

**Dr. Launchbaugh** reviewed the structure of the Rangeland Center and who the faculty and partners are. She said their goal is to provide a clear understanding of rangelands for managers, users and admirers of rangelands and to provide educational opportunities. She said another goal is to engage students and interns to help solve rangeland problems. She said they are stepping forward to address today's rangeland challenges.

In response to Committee questions, **Dr. Launchbaugh** said many people today don't see the advantages of livestock grazing on rangelands. She said through the Center they will be more equipped to change the attitude of livestock on the range. She also said the outlook in range job opportunities is outstanding.

**Margie Watson**, Treasure Valley Ag Coalition, said they would like to address the critical needs of the maintenance and repair of Research and Extension Centers. She said they did go through the proper channels for this funding, but the money was pulled out at the end of the fiscal year. She said the agriculture industry competes globally and they have to stay competitive. She said money is going into repairing buildings when it should be going to research. She said they need to stay competitive and at the top of their game. She said agriculture is important to the state budget and they need the committees help.

**Jerry Henggeler**, Treasure Valley Ag Coalition, said there are two contracts put together with the University of Idaho and Simplot which puts funding in for research programs. He said the recipients of the money are paying taxes and fees. He said the hope of producers is to keep money in Idaho, but they can't do it without research. He said they are here to ask for funding for these research programs. They are asking the Committee to look at the programs and consider funding toward the repair and replacement of equipment at research stations.

**ADJOURN:** There being no further business to come before the Committee the meeting adjourned at 4:10 p.m.

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Representative Andrus  
Chairman

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Susan Werlinger  
Secretary

AGENDA  
**HOUSE AGRICULTURAL AFFAIRS COMMITTEE**  
1:30 PM or Upon Adjournment  
Room EW20  
Tuesday, February 28, 2012

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#">SCR 117</a>	Ag dept, rule rejected	Stan Boyd, Idaho Wool Growers Assn.
<a href="#">S 1236</a>	Ag Dept., commercial feed	Lloyd Knight, Dept. of Agriculture
	Rangeland Report	Wally Butler, Idaho Farm Bureau

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Andrus  
Vice Chairman Boyle  
Rep Lake  
Rep Stevenson  
Rep Trail  
Rep Bolz

Rep Shirley  
Rep Patrick  
Rep McMillan  
Rep Batt  
Rep Pence  
Rep Lacey

COMMITTEE SECRETARY

Susan Werlinger  
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MINUTES  
**HOUSE AGRICULTURAL AFFAIRS COMMITTEE**

- DATE:** Tuesday, February 28, 2012
- TIME:** 1:30 PM or Upon Adjournment
- PLACE:** Room EW20
- MEMBERS:** Chairman Andrus, Vice Chairman Boyle, Representative(s) Lake, Stevenson, Trail, Bolz, Shirley, Patrick, McMillan, Batt, Pence, Lacey
- ABSENT/  
EXCUSED:** Representative(s) Stevenson
- GUESTS:** Chris Nims, AgriBeef Co./Performix Nutrition; Lloyd Knight, Laura Johnson, ISDA; Paul Marsh, Scoular Co; Jay Stewart, John Cummings, Cargill; Doug Jones, Coalition; Wally Butler, IFBF; Steve Busby, JD Heiskell & Co.; Brent Olmstead, Milk Producers; Elizabeth Criner J.R. Simplot Co.; Kent Lauer, Idaho Farm Bureau; Wyatt Prescott, ICA; Bob Naerebout, Idaho Dairymen's
- Chairman Andrus** called the meeting to order at 2:33 p.m.
- MOTION:** **Rep. McMillan** made a motion to approve the minutes of Wednesday, February 22, 2012. **Motion carried by voice vote.**
- S 1236:** **Lloyd Knight**, Idaho Department of Agriculture, said this bill provides changes to the Idaho commercial feed law. He said feed companies are required to register feed products for distribution in the state, this includes a registration fee. He stated the registration includes submitting feed labels for review and approval. He said feed companies are also required to submit quarterly tonnage reports and inspection fees. Mr. Knight reviewed the Department's responsibilities, which include, processing the registrations, review of the labels, sampling and analysis and processing the tonnage reports. He said the program deals with nearly 900 feed companies at a time. He said they have looked at the structure of the program internally and reviewed the costs and instructions. He said they had group meetings and inquiries about concerns related to the feed program.
- Mr. Knight** reviewed the concerns identified through the meetings. He said the tonnage reporting was too invasive and too cumbersome. He said the cost to smaller distributors and manufactures was too much. He stated the agency was spending too much time on the tonnage program to focus on inspections and sampling. Mr. Knight identified the program's goals and objectives, to verify truth in labeling, ensure consumer and animal safety and to ensure a fair marketplace. Mr. Knight reviewed changes in the bill. He said this would change the process for registration and how labels are reviewed. He stated nothing else in the registration process changes.
- In response to Committee questions, **Mr. Knight** said the industry has changed since the fees were last changed, they are taking in more money than expending and from a fiscal stand point the program is sound. He said the change is a fund shift, not an increase. He said they expect a decrease in revenue but they are in a good position fiscally to deal with the change. In further response to Committee questions, Mr. Knight reviewed the process for tonnage reports. He also said he first heard of major opposition to the changes in mid December and tried to come to a resolution. He said not everyone will pay the same, some producers deal with high volumes of products and will be paying substantially more.

**Chris Nims**, Agri Beef Co./Performix Nutrition, said they have a manufacturing facility in Nampa. He spoke in support of the bill and of the Department beginning to make changes in the process. He appreciated the opportunity to provide input in this process and looks forward to working with the Department of Agriculture.

**Paul Marsh**, Scoular Co., said their company serves dairy and cattle feeders. He said they have paid large fees and through online records have looked at the amount of sampling that was done. He said the sampling was almost non-existent and they were not getting any services for the fees they were paying. He said these changes will save the dairy industry a tremendous amount of money.

**Steve Busby**, Operations Manager of J.D. Heiskell & Co., said much of the current feed law dates back to 1956 and is out of date. He said this legislation repeals the section that requires quarterly tonnage reports and inspection fees and eliminating these will help his company. He said these changes will also require the Department of Agriculture to provide notification of inspection. He said they support this bill.

**Brent Olmstead**, Executive Director, Milk Producers of Idaho, thanked the Department for including them in this process. He said the Department used Zero based budgeting to come up with these changes. He said the changes present a more efficient program at a lesser cost. Mr. Olmstead reviewed what the legislation does and said it levels the playing field. He said they see the legislation as a cost savings for the industry and any savings is beneficial to the industry. He said they like and need the program. He said the rule would provide flexibility in what the fee would be and the change of a one-time registration fee would not be appropriate. He said they support the bill as written.

**Bob Naerebout**, Executive Director, Idaho Dairymen's Assoc., spoke in support of the legislation. He said **Mr. Knight** tried to get everyone involved that needed to be involved. He complimented Mr. Knight and the Department on the way they changed this program.

**Jay Stewart**, Cargill, said they represent one of the largest animal feed companies in the US. He said the company will be a beneficiary of the bill, but they believe funding will be a problem. He said the Department is shifting the burden from one part of the industry to the bag feed part of the industry. He said the bag feed part of the industry will pay the majority of the burden.

In response to Committee questions, **Mr. Stewart** said he was involved in negotiations that brought this legislation. He said he thought the fee should be changed to tonnage based only, which is what 23 other states are doing.

**John Cummings**, Cargill, said from the manufacturing standpoint they will benefit. He said if they change to the registration only it will impact Cargill significantly. He said some blend of registration and tonnage would be a better solution.

**Doug Jones**, representing a coalition of feed manufacturers and trade associations, gave a history of the participation of this group. He said they did have input in the process and expressed their thoughts on what the state of Idaho should do. He said at the end of public input they had an impression of where the legislation would go. He said they didn't hear anything more until the draft legislation came out. He said the group strongly opposes changing the commercial feed law to fund the commercial feed program solely with product registrations. He stated this is a fee shift and they oppose the bill as it is. He said they have suggested amendments to the bill and they would support the changes suggested. Mr. Jones said this is putting all the burden on those that register product labels. He said there has been federal legislation signed by the President that would make a major change in food registration which will also require major changes for the companies and states. He suggested a hold on this legislation for a year. He reviewed the suggested changes to the bill.

In response to Committee questions, **Lloyd Knight** said they have a blended process today and have had for many years. He said this legislation helps the Department get more from the fees and they can focus on their higher priorities. He said there are positive benefits for those that have tonnage issues. He said they want to make sure people aren't paying on products twice. He said with the fee shift there would be more fairness and the Department would have more productivity. He said every state does it different. He also said efficiency won't be realized if they keep the blended program. The work that needs to be done with labeling won't get done. He said they are trying to free up their resources and do a better job in their activities with this change. He said many departments have caps that are higher and the actual fee would be set by rule. The rule making process will keep the Department honest because it will involve all parties and will also be reviewed by the Legislature.

**Elisabeth Criner**, J.R. Simplot Co., said they register a lot of products and have some products with a lot of tonnage. She said she appreciated the work of **Mr. Knight** and the Department. She thought the program was good and there are savings for those involved. She said through rule making there will be a fee that is appropriate and they are comfortable with the cap that is in the legislation.

**MOTION:** **Rep. Trail** made a motion to **HOLD S 1236** in Committee.

**SUBSTITUTE MOTION:** **Rep. Batt** made a motion to send **S 1236** to the floor with a **DO PASS** recommendation. **Substitute motion carried by voice vote** with **Rep. Trail** voting **NAY**. **Representative Lacey** will sponsor the bill on the floor.

**SCR 117:** **Stan Boyd**, Idaho Elk Breeders Assoc., said the industry decided to have this rule put in place. He said there is now a problem because the treatment was a direct conflict with testing for brucellosis. He said the elk have to be gathered twice for testing before they are brought into the state. He said the industry realized this and decided to take this rule out.

In response to questions from the Committee, **Mr. Boyd** said the rule would no longer be in place, but the industry would still treat elk because it is part of their regular health management program.

**MOTION:** **Rep. Lake** made a motion to concur with the Senate resolution rejecting the rule. **Motion carried by voice vote**. **Rep. McMillan** will sponsor the bill on the floor.

**Chairman Andrus** said the presentation by **Wally Butler** will be rescheduled.

**ADJOURN:** There being no further business to come before the Committee the meeting adjourned at 4:39 p.m.

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Representative Andrus  
Chairman

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Susan Werlinger  
Secretary

AGENDA  
HOUSE AGRICULTURAL AFFAIRS COMMITTEE  
1:30 p.m. or Upon Adjournment  
Room EW20  
Thursday, March 08, 2012

SUBJECT	DESCRIPTION	PRESENTER
<a href="#">H 611</a>	Livestock Liens	Rep. Boyle
<a href="#">H 625</a>	Animal care, violations	Rep. Andrus

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Andrus  
Vice Chairman Boyle  
Rep Lake  
Rep Stevenson  
Rep Trail  
Rep Bolz

Rep Shirley  
Rep Patrick  
Rep McMillan  
Rep Batt  
Rep Pence  
Rep Lacey

COMMITTEE SECRETARY

Susan Werlinger  
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MINUTES  
**HOUSE AGRICULTURAL AFFAIRS COMMITTEE**

- DATE:** Thursday, March 08, 2012
- TIME:** 1:30 p.m. or Upon Adjournment
- PLACE:** Room EW20
- MEMBERS:** Chairman Andrus, Vice Chairman Boyle, Representative(s) Lake, Stevenson, Trail, Bolz, Shirley, Patrick, McMillan, Batt, Pence, Lacey
- ABSENT/  
EXCUSED:** None.
- GUESTS:** Heather Cunningham, Self; Sara Lee, Self; Wyoma Clouss, Idaho Dog Coalition; Barb Hutchinson, Canyon County Animal Shelter; Kamion Garner, Self; Lisa Kauffman, HSUS; Larry Sandesky, Idaho Brittany Club; Benjamin Kelly, Food Producers of Idaho; Jeff Rosenthal, Idaho Humane Society; Linda Lemmon, Self; Kent Lauer, Idaho Farm Bureau
- Chairman Andrus** called the meeting to order at 1:30 p.m.
- MOTION:** **Rep. Pence** made a motion to approve the minutes of Tuesday, February 28, 2012. **Motion carried by voice vote.**
- H 611:** **Heather Cunningham**, Self, Attorney, said in property law horses are still considered property. She said the remedy for a boarder whose owners have not paid after notice of 60 days is to sell the animal at a licensed public livestock auction market. She said it is very difficult to sell horses at these types of markets because they aren't around any more. After doing research she found the law was out dated. Ms. Cunningham said the bill will strike the words "licensed livestock market" and leave only "public auction". She said nothing changes in Code for the requirement of notice. She said she had not encountered any opposition to this change and asked for support of the bill.
- MOTION:** **Rep. Pence** made a motion to send **H 611** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Boyle** will sponsor the bill on the floor.
- Chairman Andrus** turned the gavel over to **Vice Chairman Boyle**.
- H 625:** **Rep. Andrus** said after eight years on the Committee he has resisted attempts to make animal cruelty convictions a felony. He said there are unintended consequences for felons, they have to give up certain things. He said he is aware of other legislation regarding this matter and the felony penalty. He stated this is the reason he has brought this legislation forward. He said for years the animal welfare people have demanded a felony for animal cruelty penalty. He said a felony is a serious thing and explained the definition of felony. He said currently people charged with animal cruelty are not fully prosecuted under the misdemeanor law.
- Rep. Andrus** explained the bill. He said on the first page there are definitions dealing with animals. He said on page 2 animal torture for companion animals only is defined. Livestock is exempted. He said a person found guilty of animal torture on the third offense has a felony charge. **Rep. Andrus** said page 3 deals with cockfighting. He said an organizer of a cockfight with drugs and gambling involved are charged with a felony on a first offense if found guilty. He said this does not include an observer. Also, there is a misdemeanor charge on the first offense and a felony charge on a second offense if drugs and gambling are not present but spurs (gaffs) are attached to the birds, or birds are injected with something that enhances energy and stamina.

**Rep. Andrus** said he has been advised to delete the word "torture" from page 1, line 32 because torture is defined on page 2 and is not needed on page 1. He said it is his intent for a new bill to be printed and be before the Committee for vote on Monday. He asked that testimony be given on this bill today but have no action taken on **H 625**.

**Rep. Andrus** said because there has been public talk of an initiative on the ballot this year, he thought it was necessary to bring this legislation forward. He said there is a need to do something in Idaho on animal cruelty and still try to protect the people that have livestock.

In response to Committee questions, **Rep. Andrus** clarified that the penalties for felonies and misdemeanors are already in Code. He said if juveniles are involved in organizing a cockfight, they can be charged as an adult at the discretion of the prosecutor. This would apply rarely with this legislation. Rep. Andrus also explained the differences between **S 1303** and **H 625**. He said the definition of torture came directly from the Humane Society and he thought it was a good description. He said gamecock breeders and breeders of other animals would be covered under normal practices, which is already in Code. This bill only applies to companion animals.

**Sara Lee**, Self, spoke **in support** of the bill. She said she liked the tightening of the cockfighting Code and the separation of companion animal and production animals. She said she agreed with the felony penalty. She said as an educator she hears stories about animal treatment, with this legislation she can use the words felony and prison to encourage a change in behavior. She said the animal issue has brought out the worst in a lot of people, but they have a common interest and she thought this bill would help bring people together to realize that.

**Wyoma Clouss**, member of Idaho Dog Coalition, said the Coalition has over 400 members across state. The Coalition advances responsible dog ownership. She appreciates the update to the animal cruelty statute. She said she agrees with the description of torture and that it is not just neglect. She thought cockfighting needed to be treated in a similar way as dog fighting. She also thought "or" would be better than "and" when referring to drugs and gambling involved in cockfighting. She urged support of **H 625**.

**Barb Hutchinson**, Canyon County Animal Shelter, spoke **in support** of **H 625**. She said we have a serious problem in Idaho with animal cruelty and believed there should be an increase in penalties for conviction. She would like to see more penalties for torture and grievous animal treatment. Ms. Hutchinson gave several examples. She said they do see these types of things and it does happen, and she believed something should be done.

**Kamion Garner**, Self, spoke **in support** of **H 625** because it increases penalties, but thought the Committee should look at making it a felony on the first offense. She gave an example of a neighbor who is a dog breeder. She said this type of thing happens a lot and is a heinous crime that needs to be dealt with appropriately. She said these types of crimes lead to crimes against people. She is asking for a change in the law that is similar to the law in 48 other states.

In response to Committee questions, **Ms. Garner** said she thought if the animal care community had these improvements, they would be satisfied.

**Lisa Kauffman**, Humane Society of the United States, spoke **in support of H 625**. She gave some background and facts about people, pets and the bonds between them. She expressed the idea of how important pets are to people and people do not tolerate animal cruelty. She appreciated that production animals are exempt and this legislation is only dealing with companion animals. She said animal torture is shown to lead to crimes against people. In reference to cockfighting, she showed what a gaff looks like. She said in Idaho, cockfighting is mostly a cultural thing and they usually don't attach gaffs or spurs to the birds.

In response to Committee questions, **Ms. Kauffman** said if this bill is passed the Humane Society would not run an initiative. She said she could not speak for the group, One of Three, who were not present. She said on a national level the felony penalty would not fill the prisons, she thought with the felony penalty it would stop people who would abuse animals.

**Jeff Rosenthal**, Executive Director, Idaho Humane Society, said their mission is to advocate for the welfare of animals. They are a private non profit organization and the largest animal control agent in Idaho. He spoke **in support of H 625**. He explained an incident of cockfighting in Idaho and showed examples of the paraphernalia confiscated in the incident. He said he is not concerned with the definitions involving gaffs and gambling, because they are always involved in these types of events that are organized. He gave examples of other cockfighting incidences in other states. He said we are not talking about something that occurs in backyards. He said many Latino people are offended that their culture is associated with this and they do not condone cockfighting. He said there are elements of animal fighting in several other cultures and gave examples. He said the penalties are very clear in this legislation. He said there have been a number of cases of neglect and cruelty in Idaho where they could not verify torture. Mr. Rosenthal said when cases are discovered in Idaho, they pay close attention because of the known links to these acts and crimes against people.

**Larry Sandesky**, Idaho Brittany Club, said this bill is substantially narrower than the Senate bill. He said he had no issue with the cockfighting provision. He said they have worked last year and this year to have an enforceable bill. He said he saw concerns with this bill being enforceable.

**Diane Arhes**, Self, spoke **in support of H 625** for the same reasons already expressed. She said it is proven that animal abusers are more likely to commit crimes against people. She said with a slap on the wrist in punishment they are setting an example to children that it is alright to treat animals badly. She said this is not an example they want to set in Idaho.

**Rep. Andrus** said they have had good testimony on this issue. He said a question was brought up concerning aquaculture in the definition of production animals. He said it couldn't be included in this legislation, but aquaculture was included in Code because they have a spine. He said something needs to be done or there will be an initiative brought on the ballot this fall. He said he is comfortable with this legislation and respects what the Committee will do with it.

**ADJOURN:**

There being no further business to come before the Committee, the meeting adjourned at 3:01 p.m.

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Representative Boyle  
Chairman

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Susan Werlinger  
Secretary

AGENDA  
**HOUSE AGRICULTURAL AFFAIRS COMMITTEE**  
1:30 p.m. or Upon Adjournment  
Room EW20  
Monday, March 12, 2012

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#">H 650</a>	Animal care	Rep. Andrus
	Idaho Dairy Products Commission Annual Report	Deana Session, Administrator
	Idaho Dairymen's Association Report	Bob Naerebout, Executive Director
	Wolf and Cattle Interactions	Casey Anderson, Rancher

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Andrus	Rep Shirley
Vice Chairman Boyle	Rep Patrick
Rep Lake	Rep McMillan(McMillan)
Rep Stevenson	Rep Batt
Rep Trail	Rep Pence
Rep Bolz	Rep Lacey

COMMITTEE SECRETARY

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MINUTES  
**HOUSE AGRICULTURAL AFFAIRS COMMITTEE**

**DATE:** Monday, March 12, 2012  
**TIME:** 1:30 p.m. or Upon Adjournment  
**PLACE:** Room EW20  
**MEMBERS:** Chairman Andrus, Vice Chairman Boyle, Representative(s) Lake, Stevenson, Trail, Bolz, Shirley, Patrick, McMillan (McMillan), Batt, Pence, Lacey  
**ABSENT/  
EXCUSED:** Representative Lacey  
**GUESTS:** Dave Goids, Idaho News Service; Deana Sessions, Dairy Commission; Casey Anderson, OX Ranch; Bob Naerebout, Idaho Dairymen's Assoc.; Elizabeth Criner, NWWFA

**Chairman Andrus** called the meeting to order at 2:42 p.m.

**MOTION:** **Rep. Pence** made a motion to approve the minutes of Thursday, March 8, 2012.  
**Motion carried by voice vote.**

**H 650:** **Chairman Andrus** explained **H 650** is the same as **H 625** which was heard on Thursday, except for the one change that was explained. He asked if there was any objection to holding **H 625** in Committee and asked for a motion to that effect.

**MOTION:** **Rep. Trail** made a motion to **hold H 625** in Committee. **Motion carried by voice vote.**

**Chairman Andrus** said they had testimony on **H 625** last week, but would allow testimony on **H 650** if there is any. He said he would also take questions on **H 650**.

**MOTION:** **Rep. Trail** made a motion to send **H 650** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Andrus** will sponsor the bill on the floor.

**Casey Anderson**, Rancher, Council, Idaho, said in 2008 he was approached by Oregon State University to do a wolf-cattle interaction study. He said this presentation will explain how this effects ranchers on the ground. He reviewed the established wolf packs in 1999 and the increase in wolf packs from 1999 to 2005. He said these are only confirmed packs and the actual numbers are greater. He explained the difficulty in getting a confirmed wolf depredation because of the lack of evidence to confirm a wolf attack. He said the wolf will usually eat too much of the calf to get confirmation. He explained the things that come into play when trying to get a confirmation on a wolf depredation. He said only 7% of the actual depredations will actually be confirmed.

**Mr. Anderson** reviewed the wolf presence levels and gave examples of the equipment they used to track the wolves and cattle. He reviewed the confirmed sighting's of wolves in 2009 from APHIS, but this only reflects what the agency had seen. He explained the cow depredations from the ranch in 2009. He explained how cows will spread out to avoid wolves, and where the wolves could be seen.

**Mr. Anderson** said the study was sponsored by the Oregon Beef Commission, because they wanted to find out how wolves acted before they had any in Oregon. He said only one wolf out of a pack of 12 wolves was collared. He reviewed the travel of the collared wolf and the wolf territory. He reviewed the minimum travel distance of the wolf and other movements of the wolf from the den site throughout the summer. Mr. Anderson explained the movement of the collared wolf compared to the movement of the ten collared cows. He said this shows the wolf is moving with the cattle. He said even though there was only one collared wolf they were dealing with three packs of wolves working through their allotments and pastures.

**Mr. Anderson** explained the wolves in relationship to houses. He said the wolf came within 500 meters of the lodge 79 times. He said the wolves came within 500 meters of where three house are, 307 times. Mr. Anderson reviewed how the wolves and cattle interacted on the range. He explained how many times the ten collared cows encountered the collared wolf. He said the wolf was only collared for two weeks. He explained how the wolf was in direct contact with the cows. He reviewed the riparian area and how cattle use it. He said the study shows the cattle only use the riparian area about 1% of the time.

**Mr. Anderson** reviewed the depredation compensation program. He said depredation is the smallest loss the ranchers have. He said there are other losses from the cows such as loss of body condition, and conception rate. He said the cattle are moving and stressed all the time. He said ranchers need to maintain more heifers to maintain the cow heard, which is the largest cost. He said cattle behavior changes greatly and the cattle do not want to use the range like they used to. He said there is also a huge increase in labor. Mr. Anderson said besides the stress on cattle, there is also stress on ranch management and the people that work the range. He said as the number of wolves increase, the number of depredations increase. He said in the grazing season cattle make up the largest food source for wolves. In the non grazing season the largest food source for wolves is deer and elk.

In response to Committee questions, **Mr. Anderson** said the ranch was a cooperator in the study, they allowed the cattle to be collared and gathered the information. He said he felt this was the only way to be able to show information that isn't available and isn't realized. He said much of ranch life is stewardship of wildlife and the land. He said being able to share this information helps with the ability to cope with this situation. He gave estimates of the losses to the ranch and said without profits to the ranch, they can't do the conservation measures on the land they would normally do. He said the ranch owners take conservation seriously and consider themselves extremely good stewards of the land.

**Deana Session**, Idaho Dairy Products Commission, said it is her fiduciary responsibility to review the financial data of the Commission. She said they have gone through an audit and have a very clean report. She reviewed the Commission's financial highlights. She said they have increased marketing activities in hopes of increasing demands in dairy products. She stated the food dollar is not going as far as it used to and sales of milk and cheese have been declining in the last few months. She said they have invested dollars in trying to change this decline and will continue to work on the problem and trying to correct it. She said they are waiting for the right opportunities in investments and have several things they plan to invest their money in this year.

**Ms. Session** reviewed the Fuel Up to Play 60 program. She said there is no projected increase in production in 2012. She also reviewed the mandatory assessment and the current milk prices. She said dairy farmers are struggling as well as the consumer is struggling. She said prices for 2012 are predicted to remain flat and contingent upon a healthy export program. Ms. Session reviewed other budget highlights for 2012. She said they have a huge investment opportunity with McDonald's over the next three years. She said the dairy facts stay the same, Idaho remains the third largest milk producing state in the US.

**Bob Naerebout**, Idaho Dairymen's Association, said they are funded through the Idaho Dairy Products Commission. He briefly gave an over view of the association and what they are facing now. He explained where the majority of the dairy operations are in the state. He said they are projecting a flat growth rate for the industry this year. He stated they are continually engaged in the immigration issue for jobs. He said they are working on training programs and certification programs through CSI. Mr. Naerebout reviewed the industry's economic conditions and current costs of productions. He said feed is the biggest contributor for cost. He reviewed the future market. He explained the priorities for the Idaho dairy industry.

**ADJOURN:** There being no further business to come before the Committee, the meeting adjourned at 4:13 p.m.

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Representative Andrus  
Chairman

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Susan Werlinger  
Secretary

AGENDA  
**HOUSE AGRICULTURAL AFFAIRS COMMITTEE**  
1:30 P.M. or Upon Adjournment  
Room EW20  
Wednesday, March 14, 2012

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#"><u>S 1304</u></a>	Barley Commission	Dar Olberding, Idaho Grain Producers Assoc.
<a href="#"><u>S 1346</u></a>	Livestock proceeds	Stan Boyd, Idaho Cattle Assoc.
<a href="#"><u>S 1302</u></a>	Dogs, regulation of	Sen. Corder
<a href="#"><u>S 1303</u></a>	Animal cruelty, penalties	Stan Boyd

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Andrus	Rep Shirley
Vice Chairman Boyle	Rep Patrick
Rep Lake	Rep McMillan(McMillan)
Rep Stevenson	Rep Batt
Rep Trail	Rep Pence
Rep Bolz	Rep Lacey

COMMITTEE SECRETARY

Susan Werlinger  
Room: EW62  
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MINUTES  
**HOUSE AGRICULTURAL AFFAIRS COMMITTEE**

- DATE:** Wednesday, March 14, 2012
- TIME:** 1:30 PM or Upon Adjournment
- PLACE:** Room EW20
- MEMBERS:** Chairman Andrus, Vice Chairman Boyle, Representative(s) Lake, Stevenson, Trail, Bolz, Shirley, Patrick, McMillan (McMillan), Batt, Pence, Lacey
- ABSENT/  
EXCUSED:** None.
- GUESTS:** Wyoma Clouss; Idaho Capital City Kennel Club; Sean Ellis, Capital Press; Jeff Rosenthal, Idaho Humane Society; Tim Dillin, Idaho Barley Commission; Joseph Anderson, Idaho Grain Producers; Dwight Little, Idaho Barley Commission; Dennis Tanikuni, Idaho Farm Bureau; Sara Lee, Self; Lisa Kauffman, HSUS; Benjamin Kelly, Food Producers of Idaho; Matt Dorsey, Farmer-Rancher; Lee Bradshaw, Idaho Cattle Assoc.; Marilyn Whitney, SBOE; Tim Teater, 1 of 3; Wyatt Prescott, ICA; Kent Mann, ICA/Mann Farms.
- Chairman Andrus** called the meeting to order at 1:33 p.m.
- MOTION:** **Rep. Pence** made a motion to approve the minutes of Monday, March 12, 2012.  
**Motion carried by voice vote.**
- S 1304:** **Dar Olberding**, Idaho Grain Producers, said **Tim Dillin** would present the bill.
- Tim Dillin**, Idaho Barley Commission, said this legislation will amend the assessment for the Barley Commission which is currently fixed in statute. He reviewed several reasons why the Commission is seeking this assessment change. He said it will add flexibility and provide more cost sharing support for their long term goals. He said this will also help expand marketing for the industry.
- Joseph Anderson**, President, Idaho Grain Producers Assoc., said this legislation would allow the barley producers flexibility in their assessment. He said this year they have received a renewed interest in barley growers. He said an increased assessment would allow for more areas of work to be done in research. He said many other products need additional funding for growth in the industry. He said grain producers strongly support this increase in assessment because it benefits all growers.
- Dwight Little**, Idaho Barley Commission, spoke **in support** of **S 1304**. He stated one of the major things the Commission does is research. He said the Commission realizes the importance of the research and the need to fund it. He said they have a top notch research facility but funding has been reduced in the last few years. He said the Commission has been approached to fund the technical people in the facility. He said the funding also has been reduced to the University of Idaho. He said the Barley, Wheat and Potato Commission's have brought forth funds to give support to the institution. He said funding will continue to make sure there are viable resources to remain competitive in the industry.
- Dennis Tanikuni**, Idaho Farm Bureau, spoke **in support** of **S 1304** which allows the Barley Commission to increase their assessment authority from \$.02 to \$.04. He said in statute the Barley Commission is required to do research. He said there is also clarifying language in the legislation that the Commission serves at the pleasure of the Governor.

**MOTION:** **Rep. Patrick** made a motion to send **S 1304** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Trail** will sponsor the bill on the floor.

**S 1346:** **Stan Boyd**, Idaho Cattle Assoc., said this legislation deals with the proceeds of unclaimed livestock. He gave an example of how livestock can go unclaimed and what happens to the livestock. He said the proceeds from the sale of unclaimed livestock will go into the unclaimed livestock fund and if it is not claimed after eighteen months it goes into the public school fund. He said this bill would allow the livestock proceeds to instead go into the State Board of Education's miscellaneous fund. He said this legislation would allow those funds to now go to public education or higher education programs that advance the livestock industry and agriculture in general. He gave the average amount of proceeds from unclaimed livestock over the last 5 years and said the amount in the fund does fluctuate. He reviewed the programs that would benefit from these proceeds.

**MOTION:** **Rep. Batt** made a motion to send **S 1346** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Batt** will sponsor the bill on the floor.

**S 1302:** **Sen. Corder** thanked the Committee for allowing him to bring this legislation. He said similar legislation was brought last year and had trouble. He said in this version, they have added the word "worry" as it pertains to dogs that might bother cattle or sheep. He said they have tried to preserve the rural element. He said the bill is not about changes to rural Idaho but about the changes that have occurred over time in the metropolitan areas. **Sen. Corder** explained the definitions in the bill. He reviewed dog behavior and what happens to the dog if it becomes more aggressive over time. He then reviewed the action or consequences taken as a result of the dog behavior. He also explained what constitutes a complaint. He said the dog then goes through a process, similar to a parole system. He said dogs that are in town are put in situations that they can't handle. He said with this legislation they are trying to give the courts more access to solutions. He said it lets people protect their own animals and gives dog owners more access to solutions as well. He said it makes things more fair for everyone. **Sen. Corder** explained another new element of the legislation in how it addresses breeds. He explained there have been a number of attempts to outlaw pit bulls. This law says you can enact ordinances on behavior, but can't enact ordinances on a specific breed.

In response to Committee questions, **Sen. Corder** said there has been no opposition to the legislation, he listed the stake holders that have been involved. He also said this bill will not change or diminish the authority of a rancher or landowner when a stray dog comes on to their land and is out of control.

Concerns were expressed by Committee members regarding a new section on defending livestock and that it only spoke to defending livestock during calving and lambing season. An amendment was suggested regarding defending livestock during other times and not just during these seasons.

**Dr. Jeff Rosenthal**, Idaho Humane Society, said they are the largest animal control and largest animal shelter in Idaho. He said they support the amendments to this chapter of Code to protect citizens. He explained the legislation creates a process and provides a two or three tiered system. He said it provides for preventions to over and under reaction. The Humane Society provides protection for citizens and this will provide options for different situations. **Mr. Rosenthal** gave an example of a case and provided statistics for the number of cases they deal with each year. He said most owners will defend their dogs and it is usually justifiable because the dogs are put in situations they're not responsible for.

**Dr. Rosenthal** said this legislation will give them a menu of options through the teared system and they can focus on dogs with aggressive behavior. He said this isn't meant to expand what they are currently doing, it is meant to focus on dogs that are a particular danger to society. He said this does exempt guard dogs which should have a certain level of aggression. He stated their best interest is in preserving the rights of dog owners.

In response to Committee questions, **Dr. Rosenthal** said this legislation doesn't prevent municipalities from enforcing current local ordinances.

**Wyoma Clouss**, Idaho Capitol City Kennel Club, said she believed the bill will offer guidelines for dealing with dog issues. She gave an example of people trying to enact ordinances on breeds of dogs. She said they have tried to get them to act on dog behavior. She said this legislation does give structure and authority on how to handle dogs. She said the group also appreciates the considerations of working dogs.

**Sara Lee**, Caldwell, **spoke in support** of the bill. She said she has followed this issue over the last few years and appreciates the legislation that has come out. She gave an example of running packs of dogs that have always been a problem. She said she would like discussions about the micro chipping alternative and how it applies to the livestock industry. She said if micro chipped dogs are causing the problems they have a better chance of finding out who the dogs belong to.

**MOTION:** **Rep. Boyle** made a motion to send **S 1302** to General Orders. **Rep. Batt** seconded the motion. **Motion carried by voice vote.** **Rep. McMillan** will sponsor the bill on the floor.

**S 1303:** **Stan Boyd**, Idaho Cattle and Idaho Wool Growers Assoc., said Idaho is one of three states that doesn't have a penalty of felony for animal cruelty. He said he has worked very closely with the House and Senate on this legislation. He explained the bill does not address torture and cockfighting. He also said the bill does not conflict with **H 650**, it complements it. He said many people did not want to have a felony provision in this section of the chapter. He stated it only deals with committing cruelty to animals and it only deals with this specific section, not the entire chapter. He provided the violations for conduct of cruelty. Mr. Boyd said this section is very broad and explained what a person would have to be convicted of. He also explained this would be looked at on a case by case situation. He said all other violations would be considered a misdemeanor and one act constitutes one violation regardless of the number of accounts involved. He said one section exempts normal animal production practices and protects livestock production. He said they have been criticized that this bill doesn't go far enough, but others think it goes too far. He thought they had found a middle ground.

**Wyoma Clouss**, Idaho Capital City Kennel Club, said the members of her club continue to educate the community about responsibility, but people still do unspeakable acts. She said animal torture is the first clue to other things and she appreciates the Committee considering this change. She also said she would like organized events being considered the same as dog fighting. She said she supports **S 1303**.

**Dr. Jeff Rosenthal**, Idaho Human Society in Boise, said he continues to support **S 1303**.

**Sara Lee**, Caldwell, expressed mixed feelings about this bill, she didn't think it defined things deep enough, but **H 650** filled in the wholes. She said **S 1303** would still cover farm animals and goes beyond the companion animal. She said it gets a felony penalty on the table, but still lacks in cockfighting regulation. She said there is a lot of support for updating the Code and people do want something substantial done, especially with companion animals.

**Lee Bradshaw**, Idaho Cattle Assoc., encourage support of **S 1303**. He said the cattlemen do not condone animal cruelty. He said their goal is to keep cattle healthy, safe and protected and to provide the best for their animals. He said unfortunately some people do not always follow these practices. He said these people should be punished accordingly. Mr. Bradshaw urged the Committee's support for the bill.

**Tim Teater**, Boise, said there are two problems with the bill as written, he said it is difficult to prove intentional and there is no definition of torture. He said it is not adequate to give a felony penalty only on the third violation. He believed if there is cruelty inflicted on plural animals there should be a plural charge. He also said the penalties are too lax and the felony penalty is the same as the current misdemeanor penalty. He said this only gives an appearance of a felony and is not effective at all.

**Kent Mann**, Idaho Cattle Assoc., said he is an active livestock grower testifying in favor of the bill. He said the problem with legislating business is the business will be regulated by non agricultural people. He appreciates being able to express his thoughts concerning this issue.

**Wyatt Prescott**, Idaho Cattle Assoc., said he grew up in every aspect of the cattle business and has worked many years in the business and looks forward to the future. He said they need to make sure there is a future in the business and they took the bill seriously. They didn't want to make a mistake in the industry. He said they wanted to discuss with cattlemen if this was the right thing to do and get input on the issue. He named all the groups who gave them input on the issue. He said they have taken serious consideration of the issue and have had discussion on the threat to the animal industry from animal rights people that want to abolish the animal industry. He said they can't take guarantees from these organizations that they won't go further with an initiative. He said they can only act responsibly as an industry and take care of their animals. He said he is in full support of the legislation.

**Lisa Kauffman**, Humane Society of United States, thanked the Committee for supporting **H 650** and recommended passage of **S 1303**. She said she didn't originally support this bill because it didn't go far enough. She thought the two bills would complement each other and they do support both bills.

In response to Committee questions, **Ms. Kauffman** said they would like animal neglect to be addressed as a felony on the second offense and would like this pursued legislatively.

**MOTION:** **Rep. Trail** made a motion to send **S 1303** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Lake** will sponsor the bill on the floor.

**ADJOURN:** There being no further business to come before the Committee, the meeting adjourned at 3:30 p.m.

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Representative Andrus  
Chairman

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Susan Werlinger  
Secretary

AGENDA  
HOUSE AGRICULTURAL AFFAIRS COMMITTEE  
1:30 p.m. or Upon Adjournment  
Room EW20  
Thursday, March 22, 2012

SUBJECT	DESCRIPTION	PRESENTER
	Approval of Minutes	

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Andrus  
Vice Chairman Boyle  
Rep Lake  
Rep Stevenson  
Rep Trail  
Rep Bolz

Rep Shirley  
Rep Patrick  
Rep McMillan  
Rep Batt  
Rep Pence  
Rep Lacey

COMMITTEE SECRETARY

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MINUTES  
**HOUSE AGRICULTURAL AFFAIRS COMMITTEE**

**DATE:** Thursday, March 22, 2012  
**TIME:** 1:30 p.m. or Upon Adjournment  
**PLACE:** Room EW20  
**MEMBERS:** Chairman Andrus, Vice Chairman Boyle, Representative(s) Lake, Stevenson, Trail, Bolz, Shirley, Patrick, McMillan, Batt, Pence, Lacey  
**ABSENT/  
EXCUSED:** Representatives Lake, Trail and Patrick  
**GUESTS:** None.  
**Chairman Andrus** called the meeting to order at 1:52 p.m.  
**MOTION:** **Rep. Pence** made a motion to approve the minutes of Wednesday, March 14, 2012. **Motion carried by voice vote.**  
**Chairman Andrus** expressed his appreciation to the Committee for their support in his first experience as Chairman. Chairman Andrus thanked the Committee Page, **Aubrienne Christensen**, for her work this Session, he also thanked the Secretary, **Susan Werlinger**. Chairman Andrus expressed his appreciation for the Committee members that will not be here next year.  
**ADJOURN:** There being no further business to come before the Committee, the meeting adjourned at 1:58 p.m.

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Representative Andrus  
Chairman

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Susan Werlinger  
Secretary