

MINUTES  
**SENATE AGRICULTURAL AFFAIRS COMMITTEE**

**DATE:** Monday, February 10, 2014  
**TIME:** 3:00 P.M.  
**PLACE:** Room WW53  
**MEMBERS PRESENT:** Chairman Bair, Vice Chairman Guthrie, Senators Brackett, Tippetts, Rice, Nonini, Patrick, Buckner-Webb and Ward-Engelking  
**ABSENT/ EXCUSED:** None

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

**RECONVENE:** **Chairman Bair** called the special meeting to order at 3:06 p.m.

**RS 22864** **Chairman Bair** introduced **Senator Patrick** who presented **RS 22864** that replaces **S 1298**. The concern was language found in Section 18-7042.2.b, "Agricultural production facility" that refers to "public" lands. Some of the public land is actually multiple-use public land and this bill was not intended to restrict any access to that land. In Section 18-7042.1.d, new wording was inserted "that is not open to the public", which should take care of the issue of whether the land is multiple use that is open to public, versus public land that is leased strictly to an entity. Section 18-7042.2.a.viii was removed. He stood for questions.

**MOTION:** **Senator Rice** moved to send **RS 22864** to print. **Senator Guthrie** seconded the motion.

**Senator Ward-Engelking** asked **Senator Patrick** to explain the language in Section 18-7042.4, "such award shall be in an amount equal to twice the value of the damage resulting from violation of the section", and why it would be "twice the value of damages" as she had never seen this language before. **Senator Patrick** responded that he understood that this is standard language. He said that this is intended to be a penalty not just paying back what was lost. In some situations the damages can be millions of dollars. He said the intent of this legislation is to discourage this type of activity, not to collect any money.

The motion passed by **voice vote**.

**Senator Ward-Engelking** commented that she voted to have it printed. but was not sure if she would be in support of it later. **Chairman Bair** thanked her for her support.

**RS 22867**

**Chairman Bair** introduced **Bob Naerebout** who presented **RS 22867** which replaces **S 1299**, as it was decided that it needed to be two separate bills. One part deals with sanitation and the other part deals with environmental law. **RS 22867** is the portion dealing with sanitation, and this legislation is intended to repeal statutory provisions that are antiquated, unnecessary or are comprehensively addressed by the Idaho Department of Agriculture's (ISDA) rules. Some of the laws being repealed go back to 1909. It will also combine, into one chapter, the statutory provisions in Chapters 3 and 4 of Title 37 that relate to minimum standards for dairy product sanitary condition, quality, identification, classification and grade. This bill was approved by the ISDA and meets their concerns. He stood for questions.

**MOTION:**

**Senator Tippets** moved to send **RS 22867** to print. **Senator Brackett** seconded the motion. The motion passed by **voice vote**.

**ADJOURNED:**

**Chairman Bair** adjourned the meeting at 3:14 p.m.

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Senator Bair  
Chair

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Denise McNeil  
Secretary