

MINUTES  
**SENATE AGRICULTURAL AFFAIRS COMMITTEE**

**DATE:** Tuesday, February 03, 2015

**TIME:** 8:00 A.M.

**PLACE:** Room WW53

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

**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.

**CONVENED:** **Vice Chairman Bayer** called the meeting to order at 8:03 a.m.

**MINUTES:** **Approve Minutes of January 22, 2015.**

**MOTION:** **Senator Souza** moved to approve the minutes of January 22, 2015 as corrected. **Senator Burgoyne** seconded the motion. The motion carried by **voice vote**.

**SCR 101** **To Honor Native Idahoan Gary Steven's Lifelong Accomplishments in Horse Racing, Jesse Taylor**, Legislative Advisor, stated this resolution is to honor a native Idahoan, Gary Stevens, who was born in Caldwell, Idaho. Mr. Stevens rode many of his early races for his father at Les Bois Park and won his first race at the age of 16. He is now a celebrated Hall of Fame jockey having won over 5,000 races. Many of these races are some of the most prestigious such as the Kentucky Derby, Preakness, and Belmont. Mr. Stevens is the first jockey to win the Breeder's Cup Classic after the age of 50. He was the winner of the prestigious George Woolf Award, which grades on character, determination, and dedication. During award ceremonies, Gary Stevens loves to talk about the State and his home track of Les Bois.

**MOTION:** **Senator Ward-Engelking** moved to approve **SCR 101**. **Senator Patrick** seconded the motion. The motion carried by **voice vote**.

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

**PRESENTATION** **International Trade Office Managers Briefing**, Laura Johnson, Bureau Chief, ISDA, Armando Orellana, Idaho-Mexico Trade Office and Xu Fang, Idaho-China Trade Office. **Ms. Johnson** introduced the two managers stating that they are one of Idaho's greatest resources for Idaho State Department of Agriculture (ISDA)'s export market development. One of the newest foreign initiatives has been the growing demand in the China market for equine products. ISDA produced an equine products brochure this year to address this growing market.

The Economic Research Service released USDA export data which shows Idaho's exports at a record \$2.6 billion for fiscal year FY) 2014 up from \$2.2 billion; Idaho ranked 20th in the nation for exports.

**Armando Orellana**, Manager Idaho-Mexico Trade Office, presented highlights of Idaho's trade with Mexico which grew by 16.37 percent. Their office continues to collaborate with more than 100 Idaho companies to assist them with their product identification in Mexico and connections with import companies.

The city of Sinaloa is growing a bean crop from Idaho seed to test how the Idaho bean varieties perform in Mexico's climate and soil (see attachment 1).

**Senator Souza** asked about the main exports from Idaho to Mexico. **Mr. Oreliana** replied that the top exports to Mexico are barley, dairy products and potatoes.

**Xu Fang**, Manager Idaho-China Trade Office, explained that China's GDP growth rate in FY 2014 was 7.4 percent. Bilateral trading by China and the U. S. was \$540 billion. China is the largest trade partner of the U.S. along with being the number one export market for U.S. agricultural products. China is Idaho's number two export destination. Idaho's exports grew at the rate of 18 percent in FY 2014. The Idaho potato is the number four food staple. Their office facilitated a tour of Idaho feed mills for a growing animal feed export business.

**Senator Souza** asked about Idaho's top exports to China. **Mr. Fang** answered the top exports are dairy products, alfalfa hay and wheat.

**Senator Brackett** asked for clarification of the export slide which showed 2007 as a spike and then a decline. **Mr. Fang** stated the decline was due to the economic downturn.

**PASSED THE  
GAVEL:  
DOCKET NO.  
02-0421-1402**

Chairman Rice passed the gavel to Vice Chairman Bayer.

**Importation of Animals Related to TB & VS**, **Dr. Leibsle**, Deputy Administrator, explained there are two components to this pending rule:

1. Modification of import restrictions regarding animals affected with vesicular stomatitis (VS). VS is a contagious virus of livestock that is transmitted by biting flies. Under the current rule once an animal has been diagnosed with VS no other animals are permitted to come into the State within a 10-mile radius until the case has been cleared. The current rule change practice is to quarantine the premises with the affected livestock; biosecurity will be handled on a premises only basis. The rule change will remove the 10-mile radius requirement and will restrict importation into Idaho of animals that are on the premises of a VS affected animal.
2. This rule change will allow for an additional breed of cattle to be granted a tuberculosis testing exemption. Currently the language in the rule states that steers, spayed heifers, and intact heifers of beef breeds that are less than 15 months of age, which are consigned for grazing and are consigned directly to a feedlot be approved for finish feeding. The rule change will add dairy breeds to that restriction, and that will allow these animals to be brought into approved feedlots. There are two approved feedlot programs, one for VS and one for Trichomoniasis. This allows animals of unknown test status to be kept within slaughter channels.

**Senator Burgoyne** asked what has been the results of other states removal of the 10-mile radius rule; has there been any change in the incidence of VS? **Dr. Leibsle** answered that there have been several outbreaks of VS this year including an outbreak in Colorado. Colorado has a similar restriction of import just the premises in question not a 10-mile radius. There have been outbreaks in Texas and New Mexico, and they also have similar restrictions. **Senator Burgoyne** questioned if those outbreaks are attributed to the change in the quarantine practice of those states. **Dr. Leibsle** replied these outbreaks are primarily linked to the seasonal hatches of black flies, as they are the host of the virus.

**MOTION:** **Chairman Rice** moved to approve **Docket No. 02-0421-1402**. **Senator Lee** seconded the motion. The motion carried by **voice vote**.

**DOCKET NO. 02-0424-1401** **Tuberculosis, Dr. Leibsle**, Deputy Administrator, said this is the second component of the Tuberculosis (TB) rule, and it is a result of a petition by the Idaho Cattlemen's Association. This rule change creates an approved feedlot program for animals of unknown TB test status which come into the State and finish feed to slaughter. Once these animals enter into the feedlot program they must go to slaughter.

The program is administered similarly to the trichomoniasis approved feedlot programs. The respective feedlot has to apply to the ISDA for permission, the feedlot is inspected annually and the feedlot must keep records.

**Senator Lee** asked how many cattle come into the State that are of unknown TB status. **Dr. Leibsle** answered that at present there is no approved feedlot program for TB non-test status. **Dr. Leibsle** said that he would have to check the records for the amount of cattle that are coming into the State with non-test status. **Senator Lee** wondered if this would entice producers to not test. **Dr. Leibsle** explained that these relaxed import restrictions are being granted to those producers who are going to take the animals straight to slaughter and would be a significant cost saving measure to those producers.

**Chairman Rice** asked if this rule would also apply to an animal ownership transfer to a feedlot within the State. **Dr. Leibsle** replied that the animal would only be allowed to be transferred if it was going to another TB approved feedlot.

**MOTION:** **Senator Lee** moved to approve **Docket No. 02-0424-1401**. **Senator Den Hartog** seconded the motion. The motion carried by **voice vote**.

**DOCKET NO. 02-0414-1401** **Governing Dairy Waste, John Bilderback**, Bureau Chief, explained that he presented this rule last week and he stood for questions. **Senator Brackett** stated that he had asked for this rule to be held until he could get further clarification. Information has been provided to answer his questions.

**MOTION:** **Senator Brackett** moved to approve **Docket No. 02-0414-1401**. **Senator Den Hartog** seconded the motion. The motion carried by **voice vote**. **Senators Burgoyne** and **Ward-Engelking** voted nay.

**Senator Burgoyne** asked Senator Brackett if he would disclose his reversal on this rule. **Senator Brackett** clarified that the concern was with stockpiling of animal waste. According to ISDA management stockpiling of animal waste was covered under a different rule and did not apply to this rule.

**Senator Lee** questioned why ISDA would remove a tool that allowed them to revoke a producers permit if there is unauthorized discharge. Under the current language it states that ISDA can suspend a producer's permit. Does suspension of a producers permit happen often? **Mr. Bilderback** replied ISDA has not suspended a permit based on an unauthorized discharge since 2008. **Senator Lee** questioned how many penalties have been assessed. **Mr. Bilderback** answered that there are three or four producers that are fined per year for unauthorized discharges.

**Sara Arkle**, Idaho Conservation League (ICL), spoke in opposition to the rule stating that ICL opposed S 1376 last year, and ICL opposes this rule. Negotiated rulemaking was not held on **Docket No. 02-0414-1401**. ICL believes that state agencies should provide continuity for public involvement in their rule changes.

**Chairman Rice** asked **Ms. Arkle** if there were any parts of the rule that do not mirror S 1376. **Ms. Arkle** replied ICL believes that S 1376 was preemptive and that there were opportunities in this rule change to protect Idaho's clean water. Section 060. Unauthorized Discharges is missing language. There is needed language to provide authority for ISDA to act in the event of non-compliance. ICL would like input on how this rule could protect the environment as it relates to soil test and nitrogen.

**Senator Ward-Engelking** clarified that there was public involvement and testimony on S 1376. This rule change is to reflect and be consistent with the statute change of S 1376. In this case negotiated rulemaking should have been conducted, and she will not be supporting this rule change.

**DOCKET NO.  
02-0429-1401**

**Trichomoniasis (Trich), Dr. Leibsle**, Deputy Administrator, stated this rule is mirroring the changes that were made to conform to the 2014 statutory amendment. The State has required annual testing of eligible bulls for trichomoniasis, which is a contagious venereal disease. The cattle located north of the Salmon River have not been required to test annually. The removal of this language now requires all eligible bulls in the State to be tested annually trichomoniasis.

**MOTION:**

**Senator Ward-Engelking** moved to approve **Docket No. 02-0429-1401**. **Senator Brackett** seconded the motion. The motion carried by **voice vote**.

**ADJOURNED:**

There being no further business, **Vice Chairman Bayer** adjourned the meeting at 9:11 a.m.

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Senator Rice  
Chair

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Carol Deis  
Secretary