

MINUTES
SENATE AGRICULTURAL AFFAIRS COMMITTEE

DATE: Tuesday, March 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: **Chairman Rice** called the meeting to order at 8:00 a.m.

RS 23711 **Unanimous Consent to Send a Concurrent Resolution Rejecting a Rule of the Idaho State Department of Agriculture to a privileged committee to print**

UNANIMOUS CONSENT REQUEST: **Chairman Rice** asked for unanimous consent to send **RS 23711** to State Affairs to print. There were no objections.

H 72 **Relating to Veterinarians and Veterinary Technicians**, Jodie Ellis, Executive Director, Board of Veterinary Medicine (BVM), said in a recent review of the BVM's licensing procedures they discovered an inconsistency between the treatment of one of the group of veterinary health professionals, certified veterinary technicians (CVT). In the interest of fairness and to treat both groups similarly **H 72** proposes to grant CVTs the authority to place their certificates on inactive status and makes technical corrections for clarification. Idaho Code § 54-2112(5) states that any veterinarian licensed in Idaho who advises the BVM, in writing, that he wishes to remain licensed in the State but does not intend to actively practice veterinary medicine and therefore does not intend to meet the licensing requirements for an active license for the current licensing year, shall be transferred from active to inactive status and shall be required to pay inactive status fees as prescribed by the rules of the BVM. Any person may transfer from inactive to active status by making written application for reinstatement to active status, paying all required fees and by meeting other requirements for reinstatement as defined in the rules of the BVM. One of the requirements would be that they would have to show BVM that they had participated in an appropriate amount of continuing education in the year prior to reinstatement.

The inactive status designation would cost a veterinarian \$50 per year giving the veterinarian the advantage of not letting his license expire. If a veterinarian on inactive status tentatively retires, goes on mission, starts a family, suffers a long illness or needs time to care for a family member, his license will not expire. If the license is allowed to elapse or expire it is considered dead. A veterinarian with a lapsed license who wishes to return to active practice must start the licensing process all over again just as if they were fresh out of school and pay a fee of \$507. When a veterinarian has been on inactive status and decides to return to practice they must make written application for reinstatement and pay a fee of \$325.

The BVM would like to offer CVTs this inactive status option. Since their income is substantially less than that of a veterinarian, the fee schedule would be \$20 per year to remain on inactive status and a fee of \$125 to return to active status.

Senator Burgoyne questioned language in reference to Subsection 5. The last sentence states "any person may transfer from inactive to active status by making written application". This language is also included in Subsection 6; is there a reason for the redundancy? **Ms. Ellis** replied that the language in Subsection 6 should be removed.

Senator Souza asked how long can the veterinarian and the CVT remain on inactive status. **Ms. Ellis** answered that usually an inactive status is used to reflect an event in their lives; the longest time a veterinarian has been inactive is three years. Sometimes veterinarians are not sure they want to retire, so they take an inactive status for a couple of years to make up their mind.

Senator Souza asked if there was a requirement for continued education throughout the inactive period. **Ms. Ellis** advised that the only requirement is that they present proof of continuing education for the year prior to their application. The reason that these professionals choose to be placed on an inactive status is that they wish to take a break, and BVM does not require them to pursue continuing education while they are on this break.

Senator Lee asked how many CVTs are registered with the BVM. **Ms. Ellis** said that they have about 400 licensed CVTs; half of them are active. The BVM has had 10 to 20 who have let their certification lapse. Some have let it lapse for reasons such as having a child, and they don't wish to renew.

Chairman Rice asked for clarification in Subsection 3 concerning the August 1 expiration date. **Ms. Ellis** said the reason they use August 1 is the licenses and certifications expire on June 30. The time period from July 1 to August 1 is a period of grace which allows their office time to contact the individual and make sure they do not wish to renew their license.

Chairman Rice asked how many CVTs have allowed their license to lapse and then been restored to active status. **Ms. Ellis** replied that in the last year, ten individuals have restored their licenses.

Senator Brackett questioned if the 30 day grace period was established in rule. **Ms. Ellis** answered in the affirmative.

MOTION: **Senator Brackett** moved to send **H 72** to the floor with a **do pass** recommendation. **Vice Chairman Bayer** seconded the motion. The motion passed by **voice vote**.

PRESENTATION: **Idaho Barley Commission (IBC)**, Kelly Olson, Administrator, directed the Committee's attention to the Annual Report and began the presentation by stating despite the headlines last summer, which were grim, declaring that the State had lost most of the barley crop, the producers remained on top of the industry in the country. Idaho remained the largest barley producer for the third year and barley is the third largest cash crop in the State. Even with the acre reduction of 18 percent the average yield was near record.

Until the excessive moisture arrived in August the producers were on pace to produce one of the best crops they had ever grown. The headlines last August proclaimed the wettest month that the region had seen across southern and eastern Idaho since 1953. Last August moisture was driven by an unpredicted very cool sea surface temperature, which affected the trade winds and the jet stream producing a series of very big storms off the Mexican Pacific. The storms met a high pressure system that was stalled over the Four Corners causing the storms to track straight north to southern Idaho. On August 4 and 5 the counties of Twin Falls and Jerome had the most moisture that they had seen in 100 years. This proved to be disastrous because 92 percent of the malt barley crop was in the path of the storms. The grain sprouted in the fields causing it to be unfit for the breweries. The industry managed to salvage a 40 to 85 percent acceptance rate for the breweries (see attachment 1).

The IBC initiated an aggressive feed barley marketing campaign directed at the dairy and cattle feeding organizations in eight western states and was very successful in selling the damaged barley to that market. The producers' crop insurance policies did not stand up to this disaster of quality and revenue loss.

The crop disaster has had a serious effect on the IBC's income. In June the projected budget was \$727,000, and in October that budget was revised to \$529,830 causing IBC to cut their expenses by \$31,681.

In 2013, the IBC made the bold decision to invest in a \$1 million Barley Research Endowment with the University of Idaho (UOI), which is being funded in installments. IBC wanted a scientist dedicated to barley agronomy, and they hired Dr. Christopher Rogers who is an extraordinary hire for the producers and has been on staff since July 2014 at the UOI Aberdeen Research and Extension Center.

The barley market is made up of:

1. Malt barley which is sold to breweries. IBC has seen a new market develop in the craft breweries, which are experiencing robust growth. This segment of the industry now represents 10 percent of the U.S. beer market, and it uses 25 percent of the malt barley. IBC organized the first ever barley field tour for the craft brewers. IBC was surprised at the overwhelming response; 31 craft brewers, from 8 states participated in the tour.
2. Food barley is the largest marketing opportunity for developing healthier diets. Barley is a preferred carbohydrate for type 2 diabetes because it is a low glycemic carbohydrate. This carbohydrate in the blood stream will break down glucose molecules very slowly, hence it is perfect for this market.

Over 80 percent of Idaho barley is irrigated, and IBC is concerned about the predicted water outlook for 2015. The State's mountain snow basins are well below a year ago. The snowpack was early and it is disappearing fast. Unless there is a cool down in March the State will start losing that snowpack much earlier by filling reservoirs and flood control water that will not be used for irrigation. The drought prediction maps show drought remaining very strong across the western states.

Senator Patrick questioned if IBC was aware that the trout farms in the Magic Valley are looking toward the high protein barley as a food source. **Ms. Olson** answered that IBC invested dollars a decade ago to research barley protein fractions for trout and salmon. The fish industry has looked for an alternative food as the fish meal market has fluctuated. IBC has helped fund feeding trials to make sure the fish get the appropriate gain along with the flesh of the fish remain the same. These trials have been very successful.

Senator Brackett stated that one of the obligations of the Committee is to pass legislation that is accurate and complete. Subsection 6 should be struck from **H 72**, the language already exists in Subsection 5. **Senator Burgoyne** said he would support a motion to rescind the original motion and would recommend that **H 72** be sent to the 14th Order.

Senator Souza advised she would encourage the sponsor to bring back rules addressing continuing education requirements and a time limit on inactive status.

MOTION: **Senator Brackett** moved to rescind **H 72** from a **do pass** recommendation. **Senator Patrick** seconded the motion. The motion passed by **voice vote**.

MOTION: **Senator Brackett** moved that **H 72** be referred to the 14th Order for amendment. **Senator Burgoyne** seconded the motion. The motion passed by **voice vote**.

ADJOURNED: There being no further business, **Chairman Rice** adjourned the meeting at 8:58 a.m.

Senator Rice
Chair

Carol Deis
Secretary