

MINUTES  
**SENATE AGRICULTURAL AFFAIRS COMMITTEE**

**DATE:** Thursday, February 06, 2020

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

**PLACE:** Room WW53

**MEMBERS PRESENT:** Chairman Guthrie, Vice Chairman Den Hartog, Senators Patrick, Harris, Mortimer, Lent, Bayer, Jordan, and Nelson

**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 Guthrie** called the Senate Agricultural Affairs Committee (Committee) to order at 8:00 a.m.

**MINUTES APPROVAL:** **Vice Chairwoman Den Hartog** moved to approve the Minutes of January 21, 2020. **Senator Jordan** seconded the motion. The motion passed by **voice vote**.

**RS 27620** **Jeff Siddoway** stood to present **RS 27620**, Relating to Cervidae.

**MOTION:** **Senator Mortimer** moved to send **RS 27620** to print. **Vice Chairwoman Den Hartog** seconded the motion. The motion passed by **voice vote**.

**RS 27643** **Senator Harris** stood to present **RS 27643**, Joint Memorial for the Columbia-Snake River Water System.

**MOTION:** **Senator Patrick** moved to send **RS 27643** to print. **Senator Mortimer** seconded the motion.

**DISCUSSION:** **Senator Jordan** said the Joint Memorial is about policy decisions. She asked if this will be returned to Committee for the opportunity to speak to the proposed legislation. **Senator Harris** replied in the affirmative.

**VOICE VOTE:** The motion to send **RS 27643** to print passed by **voice vote**.

**S 1248** **Mike Keckler**, Chief Communications and Legislative Affairs Officer, State Board of Education (SBE), presented **S 1248**, Relating to Seed and Plant Certification; Amend, Remove, and Make Technical Corrections. He said the proposed legislation is to eliminate the requirement that the Idaho Agricultural Experiment Station located within the College of Agriculture at the University of Idaho use the Administrative Rule process for setting standards for seed certification. He explained the current certification process which has the Idaho Crop Improvement Association (ICIA) first develop the standards before submitting them to the negotiated rulemaking process. **Mr. Keckler** said this proposed legislation would remove a layer of bureaucracy. He detailed the changes in the legislation and stated there will be a codified 30-day comment period to assure the opportunity for public comments.

**DISCUSSION:** **Tracie Bent**, Chief Planning and Policy Officer, SBE, explained the history of the negotiated rulemaking and the lack of participation by individuals. She said the 30-day period is a similar timeframe as the 21-day period in negotiated rulemaking. She stated no public comments were made regarding the proposed timeframe. She said SBE spoke with stakeholders and they were comfortable with the proposed changes. **Ms. Bent** explained the ICIA process for seed certification and stated there is much more participation in that process than the negotiated rulemaking process.

**Senator Patrick** stated that ICIA board members are elected and most are seed producers. He explained how the information is readily available, and the process is very public.

**TESTIMONY:** **Alex LeBeau**, President, Idaho Association of Commerce and Industry, spoke in support of the legislation. He said the public process will remain available. The proposed legislation allows for a quicker process for decision making. He assured the Committee that if this doesn't work the ICIP will be back to find a workable process.

**MOTION:** **Senator Mortimer** moved to send **S 1248** to the floor with a **do pass** recommendation. **Senator Lent** seconded the motion. The motion passed by **voice vote**.

**DISCUSSION:** **Senator Mortimer** explained that as Education Chairman, many of the seed certification rules are referred to the Education Committee due to the University of Idaho correlation. He explained the process of sending those rules to the Agricultural Affairs Committee. He said he is assured of the proposed legislation because of the stakeholder's support and reaffirmed his concern regarding the 30-day review period. He said he will be supporting the motion.

**VOICE VOTE:** The motion to send **S 1248** to the floor with a **do pass** recommendation passed by **voice vote**.

**S 1223** **Chanel Tewalt**, Chief Operating Officer/Communications, Idaho State Department of Agriculture (ISDA) presented **S 1223**, Relating to Food; Repeals Chapters. She said the proposed legislation repeals the labeling for some imported foods and the repeal of a chapter that addresses the enrichment of bread and flour. The proposed legislation impacts some food retailers and bread and flour manufacturers; they could benefit from removing the unneeded layers of regulations on industry. She stated there is no fiscal impact to the General Fund nor ISDA. This has the potential for cost savings for Idaho businesses.

**MOTION:** **Senator Mortimer** moved to send **S 1223** to the floor with a **do pass** recommendation. **Vice Chairwoman Den Hartog** seconded the motion. The motion passed by **voice vote**.

**S 1224** **Ms. Tewalt** presented **S 1224**; Relating to Weighmasters; Amend, Repeal, and Revise Chapters. She explained the definition of a weighmaster and what their activities encompass. ISDA reviewed the occupational licenses and determined that this license is no longer necessary. The proposed legislation will repeal the weighmaster license. ISDA does not anticipate any substantial harm to current activities or the public. She said there is no fiscal impact to the General Fund, however it will decrease dedicated funds in ISDA by approximately \$8,000. The proposed legislation will have a monetary saving for Idaho businesses.

**MOTION:** **Senator Harris** moved to send **S 1224** to the floor with a **do pass** recommendation. **Vice Chairwoman Den Hartog** seconded the motion.

**DISCUSSION:** **Senator Patrick** stated in his experience the weighmaster has not been the one weighing things, that person has overseen the process.

**Ms. Tewalt** said the scales undergo rigorous inspections. When the devices are inspected, they are calibrated and inspected for maintenance and cleanliness. ISDA will continue to inspect the scales for accuracy.

**VOICE VOTE:** The motion to send **S 1224** to the floor with a **do pass** recommendation passed by **voice vote**.

**S 1225**            **Ms. Tewalt** presented **S 1225**; Relating to Agriculture; Amend and Revise Chapters. She said the proposed legislation will remove a rule requirement in Title 22 of Idaho Code, which will change and reduce some reporting requirements. There will be no fiscal impact to the customers. She stated the proposed legislation will remove redundancy and explained the codified requirements that are to be eliminated. She said the proposed legislation is in line with the Red Tape Reduction Act (RTRA).

**MOTION:**        **Vice Chairwoman Den Hartog** moved to send **S 1225** to the floor with a **do pass** recommendation. **Senator Bayer** seconded the motion. The motion passed by **voice vote**.

**S 1246**            **David Fulkerson**, Deputy Administrator, State Financial Officer, Division of Financial Management presented **S 1246**, Relating to State Government; Repeal Chapter. He stated the proposed legislation is part of the RTRA and will eliminate codes no longer needed. This will repeal Idaho Code § 52-22 ; Carbon Sequestration Advisory Committee established in 2002; and Idaho Code § 3-70; The Snake River Improvements Commission; neither the committee nor the commission are active.

**DISCUSSION:**    In response to Committee questions, **Mr. Fulkerson** replied that the Soil Conservation Commission and the local districts are still gathering the climate impact information.

**MOTION:**        **Senator Lent** moved to send **S 1246** to the floor with a **do pass** recommendation. **Senator Patrick** seconded the motion. The motion passed by **voice vote**.

**ADJOURNED:**    There being no further business at this time, **Chairman Guthrie** adjourned the meeting at 8:42 a.m.

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Senator Jim Guthrie  
Chair

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LeAnn Mohr  
Secretary