

MINUTES
HOUSE AGRICULTURAL AFFAIRS COMMITTEE

DATE: Wednesday, February 26, 2020

TIME: 1:30 pm or Upon Adjournment

PLACE: Room EW42

MEMBERS: Chairman Boyle, Vice Chairman Troy, Representatives Kerby, Stevenson, Zito, Andrus, Giddings, Goesling, Marshall, Nichols, Raymond, Kiska, Toone, Abernathy, McCrostie

**ABSENT/
EXCUSED:** Rep. Raymond

GUESTS: Brian Oakey, ISDA; John Eaton, IACI; Lloyd Knight, ISDA
Chairman Boyle called the meeting to order at 3:17 p.m.

MOTION: **Rep. Toone** made a motion to approve the minutes of the Thursday, February 20, 2020 meeting. **Motion carried by voice vote.**

S 1248: **Rep. Kerby** said this will completely eliminate a layer of bureaucracy. He explained the U of I has had the responsibility to make sure the seed grown in Idaho meets certain standards. He explained whenever there needs to be a change made, the Idaho Crop Improvement Association for all the various seed growers get together and offer solutions. He said this process takes up to a year to go through Rule Making. He said this new legislation would change the process so it can be done in a more timely manner.

Sen. Patrick said if a new disease is identified, it is imperative the growers can act quickly to control the spread rather than wait for the Rule Making Process to be completed which can take up to one year. He said the Idaho Crop Improvement Association can be very reactive to the growers needs and interest, providing a 30 day comment period so the stakeholders have a voice in the process. He said this eliminates the State Board of Education's requirement to review the rules on plant and seed certification.

MOTION: **Rep. Andrus** made a motion to send **S 1248** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Kerby** will sponsor the bill on the floor.

**DOCKET NO.
02-0414-1901:** **Brian Oakey**, Deputy Director ISDA stated this temporary Rule Making adopts and republishes previously approved and codified chapters, which were necessary to prevent the Rule Governing Dairy Byproducts from expiring on June 30, 2019. He said stakeholders have been actively involved in the Rule Making process and have provided valuable input. He said they are asking to extend the temporary rule allowing the stakeholders more time to propose a new rule for next year.

In response to a committee question, **Mr. Oakey** explained the Department of Agriculture has the enforcement authority for any violation of either the Environmental Control Act or the Dairy Byproduct Rule.

In response to a committee question, **Mr. Oakey** said the Idaho Pollutant Discharge System is the responsibility of the DEQ.

Some committee members commented with concern the agency has power to make the rules, enforce the rules and enact the penalty all within the agency. Committee members look forward to future legislation addressing the seemingly over reach of power.

MOTION: **Rep. Toone** made a motion to approve **Docket No. 02-0414-1901. Motion carried by voice vote.**

Lloyd Knight, Administrator Plant Industries ISDA explained the four invasive species program areas. He said in 2019, they added significantly to the seasonal staff located through out the state. He said the water craft inspection stations have operated for eleven years now having inspected over 118,000 boats this year alone. He said they have 20 inspection stations and six roving stations with some open extended hours as well as one 24 hour station. He said this is the first year they've had law enforcement at all of the stations, helping with boater compliance, safety and traffic flow. He said when they find boats with muscles on them, they assess whether they are viable. He said they have not found live Zebra Muscles for several years now. He explained there are several layers of prevention in place to provide coverage for watercraft coming into Idaho as they network with surrounding state partners, regional data bases and transportation permits. He spoke of the measures taken in the event of a contamination. Concerning the new detection of Eurasian Watermilfoil found in both Bear Lake and Hayden Lake, He explained the measures in place to remove it. He said of the 30 cooperative weed management areas, 29 applied for cost sharing funds in 2019.

In response to committee question, **Mr. Knight** explained blue algae is not considered an invasive species even though it is a nuisance.

In response to a committee question, **Mr. Knight** suggested in seeking help with an infestation of noxious weeds, begin with the county weed supervisor because it may cover several jurisdictions.

DOCKET NO. 02-0609-1901: **Lloyd Knight** said three previous rules governing noxious weeds and invasive species were combined into one rule. He said a public hearing was held and no comments were received. He explained the rules were reviewed to look for opportunities to eliminate restrictive language and redundancies. He said this rule regulates an activity not regulated by the Federal Government.

In response to a committee question, **Mr. Knight** said Bull Frogs are considered an invasive species as this particular species is not native to Idaho. He said they were added to the list in 2009.

MOTION: **Rep. Andrus** made a motion to approve **Docket No. 02-0609-1901. Motion carried by voice vote.**

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 4:19 p.m.

Representative Boyle
Chair

Joan Majors
Secretary