

MINUTES  
**SENATE AGRICULTURAL AFFAIRS COMMITTEE**

**DATE:** Thursday, March 12, 2020

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

**PLACE:** Room WW53

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

**ABSENT/ EXCUSED:** Senator Harris

**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 meeting of the Agricultural Affairs Committee (Committee) to order at 8:00 a.m.

**MINUTES APPROVAL:** **Senator Jordan** moved to approve the Minutes of February 20, 2020. **Senator Mortimer** seconded the motion. The motion carried by **voice vote**.

**Senator Lent** moved to approve the Minutes of February 25, 2020. **Vice Chairwoman Den Hartog** seconded the motion. The motion carried by **voice vote**.

**Senator Mortimer** moved to approve the Minutes of March 3, 2020. **Vice Chairwoman Den Hartog** seconded the motion. The motion carried by **voice vote**.

**H 487**

**RELATING TO PESTICIDES.** **David Lehman**, Primus Policy, representing Agriculture Aviation Association (AAA), presented **H 487** and advised the Committee that the intent of the bill was to clean up outdated language and establish within the law a process for rulemaking so penalties for violations will be clearly defined in statute or rule. He pointed out that this would allow applicators of pesticides, when faced with a violation, to have an expectation of the results of the violation. Currently the Department of Agriculture (Department) relies on the penalty matrix or penalties that were established in 2000. **Mr. Lehman** indicated **H 487** will create clarity. **Mr. Lehman** reviewed each of the changes in **H 487** and how they would affect code. He noted that different rules should apply to aerial and to ground application processes. **Senator Nelson** asked if any contact had been made with ground applicators. **Mr. Lehman** replied that none of them came forward to give input. The ground applicators may have thought initially that the bill only applied to aerial, but AAA representatives did meet with the ground applicators after the bill was heard in the House. He stressed that Representative Boyle, the House sponsor, is fine with the amendments.

**TESTIMONY:** The following spoke in opposition to **H 487**: Christina Stucker-Grassi, Adam Schroeder, Marielena Vega, Elaine Kazakoff, Maria Lee, Kim Guevae Jiminez, Alexis Aroiza, Irma Moriri, and Irene Ruiz.

Reasons for the opposition were pesticides' affect on health, oversight, standard of negligence, timing of the bill, protection for the workers, stakeholders who had no input, and the penalty matrix. In addition, 83 letters in opposition were presented from farm workers (see attachment 1 for a sample of these letters).

The following spoke in favor of **H 487**: Rick Waitley, George Parker, John Cooper, Rauley Quigley, Brad Griff, Bruce Hubler, Frank Amen, and Aimee Christensen.

Opposed originally, but finding the amendments acceptable, were Jon Oppenheimer, Julia Page, Jason Hudson, Erik Johnson, and Patxi Larrocea Phillips.

**Senator Nelson** inquired of Chanel Tewalt, Idaho State Department of Agriculture, if the term "faulty" is being removed from the amendments, and how many times the term has been used. **Ms. Tewalt** stated she has no data on how many times "faulty" has been used in violation investigations.

**Vice Chairwoman Den Hartog** asked if there is an opportunity for an organization representing the farm workers to be part of the rulemaking. **Ms. Tewalt** responded that going forward representatives of the farm workers will be included.

**Mr. Lehman** expressed his appreciation for working with the Committee and members of the agricultural community in developing the amendments to **H 487**.

**MOTION:**

**Senator Mortimer** moved to send **H 487** to the 14th Order of Business for possible amendment. **Vice Chairwoman Den Hartog** seconded the motion. The motion carried by **voice vote**.

**HONORING  
THE PAGE:**

**Chairman Guthrie** honored the Committee's page, Luke Amar, thanked him, and presented him with a gift and letters of recommendation. **Mr. Amar** spoke about what he had learned, and that some of his ideas, including consideration of future careers, have changed with the page experience. **Senator Mortimer** advised Luke that with the rapid changes in possible careers, he would need to be adaptable.

**ADJOURNED:**

There being no further business at this time, **Chairman Guthrie** adjourned the meeting at 9:02 a.m.

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Senator Guthrie  
Chair

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LeAnn Mohr  
Secretary

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Carol Cornwall  
Assistant Secretary