

MINUTES
SENATE AGRICULTURAL AFFAIRS COMMITTEE

DATE: Thursday, January 19, 2023

TIME: 8:00 A.M.

PLACE: Room WW53

MEMBERS PRESENT: Chairman Hartgen, Vice Chairman Nichols, Senators Foreman, Hart, Schroeder, Carlson, Zuiderveld, Semmelroth, and Taylor

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

Chairman Hartgen announced the presentation from Ms. Tewalt, Deputy Director, Idaho State Department of Agriculture, (ISDA) would be moved to last on the agenda.

WELCOME: **Chairman Hartgen** welcomed all to the meeting.

MINUTES APPROVAL: **Senator Taylor** moved to approve the Minutes of January 12, 2023, **Senator Foreman** seconded the motion. The motion carried by **voice vote**.

PASSED THE GAVEL: Chairman Hartgen passed the gavel to Vice Chair Nichols.

RULES REVIEW: **Vice Chair Nichols** instructed the Committee there would be no voting on the Administrative Rules review. She reported a statute coincided with rules and performance evaluations, that presentations would consist of agency information. **Chairman Hartgen** stated while it is important to read the performance evaluations, it had no bearing on the rules. She reaffirmed rules review without a vote.

DOCKET NO. 02-0202-2201 **Rules Governing Apple Grading and Storage - (ZBR Chapter Rewrite) Proposed Rule.** **Jared Stuart**, Administrator, Agriculture Inspections Division, Idaho State Department of Agriculture (ISDA) briefed the Committee on the summary of apple grading and storage. He explained the need for inspections to determine quality grades for buyers and sellers. He cited that the ISDA conducted negotiated rulemaking via video conference, with no comments. A majority of the changes were from the Red Tape Reduction Act. Duplicative apple grade standards were removed between the United States Department of Agriculture (USDA) and, incorporated standards. (Attachment 1)

DOCKET NO. 02-0633-2201 **Organic Food Products Rules - (Fee Rule) - Temporary and Proposed.** **Mr. Stuart** informed the Committee the negotiated rulemaking was presented with changes in fees supported by the Organic Advisory Committee and industry. The rule presented was a pending rule to correct a typo in the publication. The rule and new fee structure were presented to the Idaho Legislature during the 2022 Legislative session and was approved by concurrent resolution HCR 37. The Organic Program was a voluntary program for those wishing to utilize their services. (Attachment 1)

**DOCKET NO.
02-0602-2201**

Rules Governing Registration and Licenses - (ZBR Chapter Rewrite) - Proposed Rule. Andrea Thompson, Section Manager, Field Services, Plant Industries Division, Idaho State Department of Agriculture, (ISDA) addressed registration and licensing for commercial feeds. Commercial fertilizer, soil and plant amendments were incorporated by reference updates. Nurseries and florists eliminated entire sub-chapters. Bee Inspection, Red-Tape Reduction of multiple sections. **Ms. Thompson** stated the product label was a standardized format, it met national standards and contained safe ingredients. She referenced the American Association of Feed Control Officials, a 700-page manual that represented the Gold standard, the Merck Index, and American Association of Plant Food Control Officials that govern the labeling requirements of soil and plant amendments, which all feed manufacturers understand. (Attachment 2)

**DOCKET NO.
02-0605-2201**

Rules Governing Plant Disease and Quarantines - Proposed Rule. Ms. Thompson gave an in-depth overview of plant diseases and quarantine for growers of hops, mint, apples, grapes, onions, potatoes, nurseries, and landowners in Idaho. She stated Idaho was second in the nation for hops production. Hops growers brought forward requests for protection from the diseases of concern. Docket 02.06.05 comprised 11 plant disease and or pest quarantine sub-chapters important to these growers. **Ms. Thompson** specified the purpose of the rule was to prevent introduction of diseases and pests of concern, and to facilitate export. Negotiated rulemaking was conducted via video conference with strong, broad-based participation, feedback was given for written comments, with clarification and review with industry proposed changes. In summary, the rule eliminated restrictive requirements for machinery and or tools and expanded industry access options such as field inspections. **Ms. Thompson** explained to the Committee, every year the ISDA must update current versions and make them available.

Mr. Knight, Administrator, Rules Review Officer, ISDA addressed the Committee, stating as publications change year-to-year, the process of rulemaking begins, to incorporate the updates. (Attachment 3)

**PASSED THE
GAVEL:**

Vice Chair Nichols passed the gavel back to Chairman Hartgen.

PRESENTATION:

Chanel Tewalt, Deputy Director, ISDA pointed out the ISDA had a dual mission to enforce statute and Idaho law. The primary mission was to encourage and promote in every practical manner, the interests of agriculture, horticulture, apiculture, aquaculture, the livestock industries and their allied industries. **Ms. Tewalt** described the various departments of the ISDA, and their respective roles. She named the Agriculture Inspections Division the largest division at the ISDA. It oversaw fresh fruit, vegetable, apples, weight measures, and organic programs. Included was pesticide registration, licensing, the animal division, and phytosanitary export. **Ms. Tewalt** indicated Idaho agriculture was an international business, that exported at least 20 percent of all Idaho commodities overseas. She mentioned the fees for services and licensing decreases the reliance on the General Fund.

Ms. Tewalt addressed a new program, the Farm and Ranch Center, a non-regulatory program dealing with transition planning on the farm. The program was to assist farmers from one generation to the next.

In summary, the ISDA was working on workshops across Idaho that focused on transition and operational planning for farmers. (Attachment 4)

DISCUSSION: **Senator Semmelroth** questioned whether the Farm and Ranch Center had resources for first generation farmers. **Ms. Tewalt** suggested the focus was on the transition of farms. She stated the new website, Farm Link, was coming in the spring. The link will put together existing operations that do not have a generation to take over, or it would link others interested in being first-time producers from Idaho or different parts of the country.

Senator Hart inquired if there was a program where an Idaho farmer could sell their development rights to the local county or city, and agree not to develop the farm into a subdivision. **Ms. Tewalt** mentioned preservation of Idaho farmland is a conversation that has been talked about for awhile, with Eastern Idaho making a move in that direction.

Senator Schroeder added Idaho Code § 67-6515A (1) Any city or county governing body may, by ordinance and following notice and hearing procedures provided for under Idaho Code § 67-6509, create development rights and establish procedures authorizing landowners to voluntarily transfer said development rights.

Vice Chair Nichols added a presentation on preservation of farmers from generation-to-generation would be informative.

Ms. Tewalt reported that the ISDA was not an expert on the topic, but would find information for the Committee.

Senator Zuiderveld remarked that mental health and farmers needed to be explained. **Ms. Tewalt** briefly summarized mental health in farming was different, farmers and ranchers do not speak about their situations. She mentioned getting in touch with professionals to increase awareness in the industry.

ADJOURNED: There being no further business at this time, **Chairman Hartgen** adjourned the meeting at 9:21 a.m.

Senator Hartgen
Chair

Melissa Price
Secretary