

MINUTES
SENATE AGRICULTURAL AFFAIRS COMMITTEE

DATE: Thursday, February 12, 2026

TIME: 8:00 A.M.

PLACE: Room WW53

MEMBERS PRESENT: Chairman Nichols, Vice Chairman Zito, Senators Lakey, Lent, Blaylock, Kohl, Semmelroth, and Taylor

ABSENT/ EXCUSED: Senator VanOrden

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 Nichols** called the meeting of the Senate Agricultural Affairs Committee (Committee) to order at 8:01 a.m.

INTRODUCTION: **BYU Idaho Agribusiness Class. Mr. Greg McKee** introduced himself and the Brigham Young University (BYU) Idaho Agribusiness class. He noted the class was learning about agricultural policy and developing legislation. Each student introduced themselves and stated where they were from.

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

RULES REVIEW: Vote

DOCKET NO. 02-0601-2501 **Rules Governing the Production and Distribution of Seed (ZBR Chapter Rewrite) - Pending Rule.**

MOTION: **Senator Lakey** moved to approve **Docket No. 02-0601-2501**, with the exception of Section 112, new subsections 01 through 05 that incorporate by reference (IBR) certain documents.

DISCUSSION: **Senator Lakey** stated the Committee found the proposed IBR documents in **Docket No. 02-0601-2501**, Section 112, new subsections 01 through 05 do not comply with requirements in Idaho Code 67-5229(3), as publication dates were not included for these documents.

VOICE VOTE: **Senator Kohl** seconded the motion. The motion carried by **voice vote**.

RS 33272 **Relating to Kratom consumer protection and safety. Chairman Nichols** explained Kratom was a plant-derived supplemental product that was legally sold and widely used in Idaho. The legislation was requested by stakeholders to provide clear, reasonable standards for Kratom safety and product integrity. **RS 33272** aimed to protect natural Kratom while prohibiting adulterated, synthetic, or artificially-enhanced Kratom products. **Senator Nichols** further explained the legislation required third-party laboratory testing, clarified supply-chain roles, and established age restrictions and penalties.

MOTION: **Senator Blaylock** moved to send **RS 33272** to print. **Senator Lent** seconded the motion. The motion carried by **voice vote**.

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

RS 33226

Relating to direct-to-consumer foods. **Senator Lakey** expressed his appreciation for the Idaho Farm Bureau and stakeholders who worked on the legislation. Definitions and state authority were established, and the purpose of **RS 33226** was to reduce government regulation on the sale of small-scale homemade food and non-alcoholic drink products. The legislation supported and encouraged small-scale agricultural sales at farm stands, ranches, and producer's homes. **Senator Lakey** explained **RS 33226** reduced regulation for meat producers, where they could sell portion sizes other than wholes, halves, or quarters. He noted this legislation only concerned direct sales within the state and not interstate commerce. In addition, the legislation provided reasonable basic requirements and consumer disclosures to ensure food safety. He stated **RS 33226** would precede existing regulations regarding small-scale food production.

MOTION: **Senator Kohl** moved to send **RS 33226** to print. **Senator Semmelroth** seconded the motion. The motion carried by **voice vote**.

PRESENTATION: Idaho Department of Water Resources - Agency Update. **Mr. Mathew Weaver**, Acting Administrator, Idaho Soil and Water Conservation Commission (ISWCC), introduced himself and stated the Governor appointed him as the ISWCC Administrator following Administrator Delwyne Trefz's retirement. He discussed the interim agency organization and explained the Governor asked him to evaluate the potential merger of the ISWCC and the Idaho Department of Water Resources (IDWR) for efficiency purposes.

Mr. George Hitz, Deputy Administrator, ISWCC, reported Idaho had fifty locally-led soil and water conservation districts. The ISWCC's mission was to support these districts in their work with private landowners to conserve and enhance the State's natural resources. Coordination efforts included nongovernmental organizations, as well as local, state, and federal agencies. **Mr. Hitz** stated their programs and services were non-regulatory and voluntary. The ISWCC engaged in public outreach in education regarding resource conservation, including monthly digital news letters. He reviewed the distribution of State General Fund district support for fiscal year (FY) 2025 and outlined performance measures related to services and outreach activities. **Mr. Hitz** explained that the Water Quality Program for Agriculture (WQPA) worked with landowners to develop and implement conservation plans and practices. \$1 million was added to ISWCC's FY 2025 budget through the Governor's recommended budget and 112 WQPA projects had been funded over the previous three years.

Mr. Weaver illustrated the ISWCC's revenue and expenditures from FY 2022 through 2025. Revenue largely originated from Idaho's General Fund. The largest expenditure was the WQPA. **Mr. Weaver** explained supplemental, enhancement, and proposed holdbacks for FY 2026 and 2027 (Attachments 1 and 2).

DISCUSSION: **Senator Taylor** stressed his concerns about the continuation of WQPA. **Mr. Weaver** stated WQPA was not in the Governor's recommended budget this year.

PRESENTATION: Idaho Department of Water Resources - Agency Update. Mr. Fielding, Treasurer, Idaho Association of Soil Conservation Districts (IASCD), explained their districts were local government entities with elected officials; all supervisors were volunteers. **Mr. Fielding** emphasized the importance and impact of volunteers. The IASCD Board consisted of six representatives from six geographic divisions. For every \$1 of state funding, districts brought in \$2.82 from federal, local, and partner sources.

Ms. Tori O'Neal, President, IASCD, displayed photos that illustrated her ranching lineage and explained the IASCD was implemented by and for farmers and ranchers. **Ms. O'Neal** stated about a third of funding came from willing landowners or federal partners. She emphasized district representatives directed funds based on the needs of their communities. She illustrated the various projects the district representatives had implemented in Idaho. She proclaimed the IASCD's commitment to educating future generations, as agriculture and natural resources were a major aspect of Idaho's economy. She offered further examples of how IASCD helped local communities with conservation and training efforts. **Mr. Fielding** concluded by emphasizing the importance of healthy land and reliable water and the responsibility to pass these resources on to future generations (Attachment 3).

DISCUSSION: **Chairman Nichols** asked how current coordination efforts were with the federal Environmental Protection Agency (EPA). **Ms. O'Neil** believed efforts were well, as federal agencies recognized the importance of coordinating with state agencies on EPA issues. **Mr. Fielding** added that state regulations were generally superior to federal regulations and noted that, provided the State fulfilled its responsibilities and proactivity, the EPA's involvement was minimal.

ADJOURNED: There being no further business at this time, **Chairman Nichols** adjourned the meeting at 8:53 a.m.

Senator Nichols
Chair

Rachel Verrette
Secretary