

MINUTES
HOUSE AGRICULTURAL AFFAIRS COMMITTEE

DATE: Tuesday, January 28, 2020

TIME: 1:30 P.M.

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:** Representative Kiska

GUESTS: Cody Burlile, Idaho Brand Board; Charlie Spencer, ISP; Bill Barton, ISDA; Benjamin Kelly, Food Producers; Marv Patten, MPI; Dennis Stevenson, DFM; Wyatt Prescott, ICA; Colby Cameron, DFM

Chairman Boyle called the meeting to order at 1:32 p.m.

MOTION: **Rep. Toone** made a motion to approve the minutes of the January 20 and 22, 2020 meetings. **Motion carried by voice vote.**

**DOCKET NO.
11-0200-1900F:** **Cody Burlile**, State Brand Inspector, explained there is only one rule chapter in the Omnibus action which is an existing rule previously reviewed and approved by the legislature. He said the rule does contain a fee change for equine brand inspections only, along with the additional changes made in line with the Red Tape Reduction Act. He said the fee changes underwent negotiated rule making in accordance with the normal rule making process and has met all necessary publication and bulletin requirements. He spoke to the history resulting in the fee changes within the docket. He said the Idaho Horse Council, Idaho Horse Board, Idaho Cattle Association and Idaho Dairy Association all participated in the negotiated rule making process and were in support of the proposed fee changes. He said there were no negative comments received during or after the required comment period. He detailed the areas affected by the fee increase including one fee decrease for Equine Farm Service Fee. He said they were able to consolidate two rule chapters, eliminate four pages of rules and eliminate 1185 restrictions representing a 50% reduction in restrictions from when they started last year.

In response to a committee question, **Mr. Burlile** said if there are cattle in conjunction with equine, only one service fee is charged.

In response to a committee question, **Mr. Burlile** said all parties are charged a farm service fee as the brand inspector goes from one location to another location to evenly distribute the cost of service.

Rep. Andrus, Troy, Toone, Raymond, Goesling, Stevenson and **Boyle** invoked Rule 80 stating a possible conflict of interest but they would be voting on the legislation.

MOTION: **Rep. Raymond** made a motion to approve Omnibus **Docket No. 11-0200-1900F**. **Motion carried by voice vote.** **Rep. Andrus** requested to be recorded as voting **NAY**.

**DOCKET NO.
02-0000-1900:**

Brian Oakey, Deputy Director, Idaho State Department of Agriculture, explained as part of the Omnibus rule making process, the ISDA accepted written comments from the public of which none were specific to these two rules. He said as the Produce Safety is a brand new rule from 2019, no substantive changes were made with the exception of some formatting changes where certain sections were moved to the cover page. He said there were 157 words deleted of which 17 were restrictive.

Dr. Bill Barton, DMV Administrator, State Veterinarian, stated this Omnibus rule adopts and republishes existing and previously approved rule chapters concerning prevention, surveillance, control, management and eradication of tuberculosis of the livestock in the state of Idaho. He said the Red Tape Reduction Act review was completed on the consolidated rule to update authority and eliminate unnecessarily repetitive, restrictive and redundant language while being careful to maintain the intent and meaning of the rule.

MOTION:

Rep. McCrostie made a motion to approve Omnibus **Docket No. 02-0000-1900. Motion carried by voice vote.**

**DOCKET NO.
02-0000-1900A:**

Brian Oakey, stated this Omnibus rule reauthorizes the eight previously approved non-fee rules. He said ISDA accepted written comments from the public, receiving three comments related to rules within this docket. He explained these rules are subject to additional rule making requirements in that the rule is broader in scope or more stringent than the federal law regulation or it regulates an activity not regulated by the federal government.

Dr. Bill Barton, DVM Administrator, State Veterinarian, explained this Omnibus rule for the airborne control of unprotected or predatory animals, adopts and republishes existing and previously approved rule chapters. He said the ISDA determined the entire rule is more stringent than federal regulations. He said this rule governs the issuance of permits for the airborne control of unprotected or predatory animals and establishes the duties of the permittees.

Dr. Bill Barton stated the Omnibus rule governing the artificial dairy products, adopts and republishes existing and previously approved rule chapters. He said a Red Tape Reduction Act review was completed on the rule to update authority and eliminate unnecessary, restrictive, and redundant language while being careful to maintain the intent and meaning of the rule.

Dr. Bill Barton stated this Omnibus rule adopts and republishes existing and previously approved rule chapters. He stated a Red Tape Reduction Act review was completed to update authority and to eliminate unnecessary and redundant language while being careful to maintain the intent of the rule. He said this rule upon analysis regulates an activity not regulated by federal regulations. He said this rule governs the production, processing, distribution and sale of raw milk for human consumption but not intended for pasteurization.

Dr. Bill Barton, stated this Omnibus rule governing brucellosis, adopts and republishes existing and previously approved rule chapters. He said to be consistent with the Red Tape Reduction Act, some minor non-substitutive revisions have been made throughout the rule. He said upon analysis it was determined some sections were broader in scope than federal regulations while other sections are not regulated by the federal government.

Dr. Barton stated this Omnibus rule governing the importation of animals, adopts and republishes existing and previously approved rule chapters. He said to be consistent with the Red Tape Reduction Act, some minor, non-substitutive revisions have been made. He said upon analysis it was determined some sections were more stringent than federal regulations while others were not regulated by the federal government.

Dr. Bill Barton stated this Omnibus rule governing the private feeding of big game animals, adopts and republishes existing and previously approved rule chapters. He said a Red Tape Reduction Act review was completed on the rule to update authority and illuminate unnecessary and redundant language while being careful to maintain the intent of the rule. He said upon analysis it was determined the entire rule is more stringent than the federal regulations.

Dr. Bill Barton stated this Omnibus rule governing deleterious exotic animals, adopts and republishes existing and previously approved rule chapters. He said a Red Tape Reduction Act review was completed on the rule to update authority and eliminate unnecessary and redundant language while being careful to maintain the intent of the rule. No substitutive changes were made.

Dr. Bill Barton stated this Omnibus rule governing trichomoniasis, adopts and republishes existing and previously approved rule chapters. He stated a Red Tape Reduction Act review was completed on the rule to update authority and eliminate unnecessary and redundant language while being careful to maintain the intent of the rule. He said upon analysis it was determined that the entire rule is more stringent than the federal regulations.

In response to a committee questions, **Dr. Barton** said there has not been any trichomoniasis found north of Riggins at this point but they have had very good compliance and it is important to keep it up while they continue to test for it.

MOTION: **Rep. Kerby** made a motion to approve Omnibus **Docket No. 02-0000-1900A. Motion carried by voice vote.**

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 2:19 p.m.

Representative Boyle
Chair

Joan Majors
Secretary