

MINUTES  
**SENATE AGRICULTURAL AFFAIRS COMMITTEE**

**DATE:** Tuesday, March 01, 2022

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

**PLACE:** Room WW53

**MEMBERS PRESENT:** Chairman Burtenshaw, Vice Chairman Bayer, Senators Patrick, Den Hartog, Blair (Johnson), Zito, Ricks, Nelson, and Semmelroth

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

**S 1345** **FENCES** - Amends existing law to revise provisions regarding the careless exposure of barbed wire and to revise penalties.

**Senator Harris**, District 32, presented the bill to update Idaho Code pertaining to barbed wire fences. He reported that a few bad actors failed to repair their fences, resulting in complaints of livestock deaths and property damage. **Senator Harris** stated that the bill would allow for local law enforcement to issue an infraction for failure to repair a fence while protecting Idaho's open range laws.

**DISCUSSION:** **Senator Ricks** asked about the extent of the problem. **Senator Harris** gave several examples in his district when livestock were running loose on the highway and cows were found grazing in a neighbor's field.

**Senator Blair** inquired about liability for owners who lease their land to others and who would determine that liability. **Senator Harris** answered that it would depend on the agreement between the owner and the lessee. He said it would be up to local law enforcement or prosecutors to determine who received a citation.

**Senator Den Hartog** asked if the bill replaced a previous similar bill heard by the Committee. **Senator Harris** responded that was correct.

**TESTIMONY:** **Wyatt Prescott**, Idaho Cattle Association and Idaho Grain Producers Association, testified in support of the bill because it would help address conflicts between livestock and property owners. **Mr. Prescott** agreed that most problems were typically caused by a few bad actors.

**Russ Hendricks**, Idaho Farm Bureau, testified in support of the bill because it would incentivize better fence maintenance. He thanked the sponsor for accepting stakeholder feedback in drafting the bill.

**MOTION:** **Senator Blair** moved to send **S 1345** to the floor with a **do pass** recommendation. **Senator Ricks** seconded the motion. The motion carried by **voice vote**.

**H 530** **IDAHO HOP GROWER'S COMMISSION** - Adds to existing law to authorize the commission to promote beer made with Idaho-grown hops.

**Sheila Francis**, Idaho Brewers United, introduced herself to the Committee. **Ms. Francis** stated the bill would provide the Idaho Hop Grower's Commission (IHGC) with authority to promote beer made with Idaho-grown hops. She observed the bill's language mirrors 1984 legislation for the Idaho Wine Commission (IWC).

- DISCUSSION:** **Senator Ricks** asked for an explanation of the proposed changes. **Ms. Francis** responded that the IWC received money from beer taxes until last year. She said the bill would give the hop growers the same ability as the IWC to promote their product. She added that the hop growers also pay assessments on their hops.
- Senator Den Hartog** inquired about the proposed uses of the Idaho beer tax. **Ms. Francis** responded that the IHGC would receive a portion of the tax to promote any beer made with Idaho grown hops. She noted many Idaho growers had long-standing relationships with large beer producers nationwide and internationally. She added that a very small amount of beer was produced in Idaho, but Idaho's unique hop varieties were popular nationally.
- TESTIMONY:** **Roger Batt**, FARE Idaho, testified in support of the bill because it would further their organization's mission of marketing locally grown products to benefit producers.
- Senator Den Hartog** asked if the IWC taxed all wine but only promoted Idaho grapes. **Mr. Batt** explained that the IWC received a small portion of all wine tax and a greater percentage of taxes on Idaho wine.
- MOTION:** **Senator Blair** moved to send **H 530** to the floor with a **do pass** recommendation. **Senator Patrick** seconded the motion. The motion carried by **voice vote**.
- PRESENTATION:** **Idaho Hop Growers Commission (IHGC) Annual Update, Idaho Apple Commission (IAC) Annual Update, and Idaho Cherry Commission (ICC) Annual Update.** **Candi Fitch**, Executive Director for the IHGC, IAC, and ICC, introduced herself to the Committee. **Ms. Fitch** stated she would present the IAC update first, followed by the ICC and IHGC updates.
- Ms. Fitch** provided a similar report for each of the commissions, including history of the industry, market update, commission activities and promotions, and financial information (see Attachment 1).
- Chairman Burtenshaw** commented that he preferred Idaho apples to those grown elsewhere. He asked why the number of apple producers had decreased. **Ms. Fitch** replied that some producers turned their orchards to other uses when the cost to pick the apples was greater than their sale price. She observed that the introduction of fruit juice imports in 1999 also negatively impacted the apple market.
- Senator Blair** suggested putting a special sticker on Idaho apples to identify and promote them. **Ms. Fitch** said it would depend on the cost. She stated she would report that suggestion to the IAC.
- ADJOURNED:** There being no further business at this time, **Chairman Burtenshaw** adjourned the meeting at 8:50 a.m.

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Senator Burtenshaw  
Chair

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Jeanne Jackson-Heim  
Secretary