

CAPITOL REFLECTIONS



Idaho Farm Bureau's Government Affairs Report

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Support for horse processing

Senate Joint Memorial 104, which supports the processing of horses, was heard this week by the Senate Agricultural Affairs Committee, which gave it a "do-pass" recommendation. The memorial, addressed to Congress and Idaho's congressional delegation, is sponsored by Senator Bert Brackett (R-Rogerson).

SJM 104 specifically urges Congress to reject federal legislation that would make it illegal to knowingly possess, ship, transport, purchase, sell, deliver or receive any horse intended for human consumption. Plants in the United States that had processed horses for human consumption, primarily consumption overseas, have closed because of government prohibitions. Since their closure, horses have been transported to Mexico and Canada for processing.

This situation has resulted in huge increases in abandoned and starving horses and economic harm to the entire equine industry. The salvage value of horses has been eliminated, while the market value of all horses has declined dramatically.

SJM 104 correctly notes that the issues related to the humane handling and processing of surplus horses are best addressed by proper regulations and inspection.

The Idaho Farm Bureau and Idaho Cattle Association testified in favor of Senator Brackett's legislation.

Idaho Health Freedom Act

This week the Senate State Affairs Committee held a hearing on House Bill 391a, the Idaho Health Freedom Act. The Idaho Health Freedom Act is intended to put into Idaho Code a statement of public policy that cites our constitutional rights under the 9th and 10th Amendments, and specifically states that Idahoans are "free to choose or decline to choose any mode of securing health care services without penalty or threat of penalty by the federal government".

It also forbids any employee of the state or its political subdivisions from enforcing any federal mandate that goes against the

stated policy to allow freedom of choice in healthcare. Finally, H391a directs the Idaho attorney general to defend the state and its residents from any federal laws that violate the healthcare choice policy.

Debate in the committee rested mostly on the issue of whether a state law could pre-empt federal law. Representative Jim Clark (R-Hayden Lake), the sponsor of the bill, cited a number of cases where indeed a state law had given a state or local jurisdiction the ability to countermand federal law.

The bill was sent to the Senate Floor with a "do pass" recommendation on a 6-3 vote by the committee.

Farm Bureau supports H391a.

Opposition to cap and trade

This week a hearing was held on House Joint Memorial 11 in the House Environment, Energy, and Technology Committee. The memorial, sponsored by Rep. Eric Anderson (R-Priest Lake), urges Congress to oppose any "cap and trade" schemes and to reject any attempts to use global warming as a pretext to increase federal revenues.

The memorial recognizes that cap and trade schemes will dramatically decrease net farm income, will cost households more than \$1,218 per year through increased energy costs, would subject our energy markets to increased volatility and would do little, if anything, to actually impact the environment.

HJM11 also supports the use of all energy sources such as nuclear, clean coal and renewable technologies, including wind, solar, geothermal and hydropower.

Farm Bureau and the Idaho Grain Producer's Association testified in favor of the memorial, and there was no opposition. The memorial received a "do pass" recommendation from the committee.

Soil Conservation Commission

The House Revenue and Taxation Committee this week printed House Bill 576, which revises existing Soil Conservation Commission and soil conservation district

law. The legislation, sponsored by Rep. Ken Roberts (R-Donnelly) and Sen. Bert Brackett (R-Rogerson), changes the commission's name to the Idaho State Soil and Water Conservation Commission.

Under the bill, the commission remains an independent, autonomous, non-regulatory agency. The Governor will appoint commission members and may give consideration to geographic representation or demonstrated expertise in specialized areas. The soil and water conservation districts may submit a list of up to 3 names for each commission vacancy, and the Governor may consider those submissions. The commission administrator will be hired by the commission.

Current law regarding local district consolidation has been modified to provide for the election of a new chair and allows a three-year transition period. District audit requirements will be consistent with other government entities. Under current law, district supervisors (directors) can be removed by the commission. H576 changes this and provides that local supervisors are now subject to recall, as are other elected officials.

The legislation provides for an annual report to be given to the House and Senate Agricultural Affairs Committees on the cooperation between the commission and local districts. After four years the Legislative Services office will prepare a report to both legislative Houses to determine cooperation between districts and the commission, use of generally accepted accounting principles and if the public has been served by the actions of the districts and commission.

Idaho Farm Bureau Federation supports H576.

Immigration measure fails

House Bill 497, an immigration measure sponsored by Reps. Phil Hart (R-Hayden) and Raul Labrador (R-Eagle), died this week when the House State Affairs Committee voted to hold the bill in committee. The bill provided for suspension of state, county or city licenses for knowingly employing illegal aliens and required the tax commission to

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notify all Idaho employers who withhold payroll taxes to notify employers of the law's provisions. Professional licenses were excluded from the suspension provision.

License suspension could be as long as one year for the 3rd offense in a three-year period. H497 also created a misdemeanor for an individual who falsely impersonates another while seeking employment. Under the measure, use of the federal E-verify system is an absolute defense for an employer and the good-faith use of the I-9 form created an affirmative defense.

Brent Olmstead, state coordinator of the Idaho Business Coalition for Immigration Reform, told the committee that coalition members did not defend illegal aliens and undocumented workers but were making an argument for the ability of employers to have a capable and reliable workforce. Many business and industry sectors rely almost entirely on foreign-born labor.

Mr. Olmstead emphasized that immigration reform is a federal issue. States do not issue passports, green cards, work visas or

sponsor guest worker programs. He said businesses want to hire a legal workforce, but in industries using large numbers of general laborers, the workforce is often foreign-born. Domestic workers no longer want to perform those jobs.

He told the committee of a farm labor association in southern Idaho with 1,200 job openings. As required by law, the jobs were first advertised locally. 150 individuals responded; fewer than 100 accepted jobs. Many said they could make just as much on unemployment. Under the federal H-2A program, fewer than 900 workers are allowed into that area. Farmers in that association were put in a very difficult position.

Mr. Olmstead went on to say that out of the almost 30 different federal visa programs, there are no guest worker programs available for year round agriculture operations. He also said the American workforce is declining and that by 2015 domestic births will not keep pace with replacement needs of the domestic workforce.

The Idaho Farm Bureau Federation, Idaho Association of Commerce and Industry, Idaho Dairyman's Association, Milk Producers of Idaho, Food Producers of

Idaho, Idaho Retailers Association, Idaho-Oregon Fruit and Vegetable Association, Idaho Lodging and Restaurant Association and Associated General Contractors of Idaho opposed H497.

Livestock research center

The Senate and House Agricultural Affairs Committee this week endorsed the restoration of nearly \$10 million in state funds for a proposed livestock research center when the economy rebounds.

The state funds had been set aside by the Legislature a few years ago when plans for the Idaho National Center for Livestock and Environmental Studies were initiated. The money has now been targeted to help shore up the state budget because of declining revenue.

The proposed center in the Magic Valley is a joint venture of the livestock industry and the University of Idaho. John Hammel, dean of the university's College of Agriculture and Life Sciences, told the agricultural committees that the center remains the college's number one priority.