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“I consider the foundation of the Constitution as laid on this ground: That ‘the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.’ [10th Amendment] To take a single step beyond the boundaries thus specifically drawn around the powers of Congress is to take possession of a boundless field of power, no longer susceptible of any definition.”
--Thomas Jefferson: Opinion on National Bank, 1791

Brand Inspection Fees

State Brand Inspector, Larry Hayhurst recently told Farm Bureau that on January 26, the State Brand Board will hold a budget meeting and will determine if they need to increase the Brand Inspection fee. The Brand Board is authorized by Idaho Code to charge up to \$1.25 per inspection. The current fee charged is 94 cents, which is set in the rules governing the Brand Board.

Mr. Hayhurst stated that if there is a proposal to increase the fee from the Brand Board, it will be done through the rulemaking process this summer and will not be a change in Idaho Code. Therefore, the maximum amount it can go up would be 31 cents per inspection which is the limit of their statutory authority. Mr. Hayhurst plans to meet with the Idaho Farm Bureau Beef committee in February at the Commodity Conference to discuss the Brand Board's decision.

Crop Residue Burning – S1009

On Tuesday, the Senate Health and Welfare Committee held a print hearing regarding proposed changes to Idaho's field burning laws. The Department of Environmental Quality (DEQ) presented a general overview of the proposed legislation which would ensure that the State's crop residue burning (CRB) program remains effective and functional. Idaho Code 39-114 requires DEQ to assess air quality conditions prior to approving any open burning of crop residue. The statute states that air quality levels are not to exceed 75% of any National Ambient Air Quality Standard (NAAQS) and are not projected to exceed such levels over the next 24 hours prior to approving any CRB event.

In 2015, EPA changed the Ozone NAAQS from 75 ppb to 70 ppb. DEQ projected that this change would on average double, if not triple, the number of no-burn days during the burn season. This result would leave the state's CRB program unworkable and useless to farmers. For this reason, and after receiving input from

stakeholders, including the Idaho Farm Bureau, DEQ has presented the following changes to the CRB program in S1009:

Statutory authority to allow DEQ to administer the CRB program to operate under the 2008 Ozone NAAQS during the 2017 burn season, using the current burn approval criteria.

Come February 2018, and upon EPA approval, adjusting Idaho's CRB burn approval criteria from 75% to 90% of the Ozone NAAQS.

DEQ has stated that the number one priority of this program is to ensure public health, and the department is completely confident that these proposed changes meet that priority. Those interested in providing testimony to the committee members at the hearing are invited to attend. The date for a full hearing has yet to be determined for S1009.

Idaho Farm Bureau Policy #70 states, "We oppose air quality standards that are more strict than the current standards under the CRB program." **IFBF supports S1009**



Eight New Chair in House and Senate; Minority Leadership Changes in Both Houses

The 2017 Idaho Legislature looks quite different from 2016 because of retirements and election defeats. Eight new committee chair are one of the most notable changes; six in the House and two in the Senate.

Sen. Jeff Siddoway (R-Terretton), former Senate Local Government and Taxation Committee chair, now chairs the State Affairs Committee. This vacancy was created when former Sen. Curt McKenzie (R-Nampa) retired from the senate to run for the Idaho Supreme Court. Senator Dan Johnson (R-Lewiston) replaces Sen. Siddoway as chair of the Local Government and Taxation Committee.

The House Agricultural Affairs Committee is chaired now by former Vice-chair and five-term Representative, Judy Boyle (R-Midvale) following the 2016

retirement of the long-time Chair Rep. Ken Andrus (R-Lava Hot Springs). Rep. Christy Perry (R-Nampa) is now the chair of the House Local Government Committee. She served as chair of the Ways and Means Committee in 2016. Rep. Robert Anderst (R-Nampa) is the 2017 Ways and Means Committee chair.

Former Vice-chair of the Appropriations Committee and five-term Representative, Marc Gibbs (R-Grace) is the 2017 Resources and Conservation Committee chair, replacing nine-term Rep. Dell Raybould (R-Rexburg), who reassumed the chairship of the Environment, Energy and Technology Committee from Rep. Jeff Thompson (R-Idaho Falls). Former Local Government Chair, Rep. Lynn Luker (R-Boise) is now Judiciary, Rules and

Administration Committee Chair, filling the vacancy created by former Chair Rich Wills' (R-Glenns Ferry) loss in the 2016 primary election.

The Minority Party has experienced changes in leadership as well. Sen. Maryanne Jordan (D-Boise) is 2017 Minority Caucus Chair, replacing Sen. Grant Burgoyne (D-Boise). Three-term Representative, Mat Erpelding (D-Boise) is the House Minority Leader, replacing Rep. John Rusche (D-Lewiston) who lost in the 2016 general election. Rep. Ilana Rubel (D-Boise) replaces Rep. Erpelding as Assistant Minority Leader. House Minority Caucus Chair is Elaine Smith (D-Pocatello) who takes the place of Rep. Donna Pence (D-Gooding) who retire from the House in 2016 after serving six terms.

College of Agriculture and Life Sciences Presentation

Dr. Michael Parrella, Dean of the College of Agriculture and Life Sciences (CALs) at the University of Idaho, gave a presentation to the House Agricultural Affairs Committee on Wednesday. Dean Parrella shared with the committee some of his goals for CALs, including increasing undergraduate enrollment in the college from current levels (approximately 1,000 students) to 1,500 students within the next three to five years. With little to no salary increases for staff and faculty over the past several years, this issue remains as one of

the dean's top priorities. Dean Parrella also reported that the 4-H program is near full operation again after the devastating losses of the great recession (2008-2009) that significantly reduced the number of 4-H faculty members and employees.

The dean talked about the proposed Center for Agriculture, Food and the Environment (CAFE) near Twin Falls that the Governor included in the budget proposal. Dean Parrella explained the unique aspects of the proposed research center and the many benefits that it would

offer the agriculture, dairy, and food processing industries. Much of the focus of the center will be on the "back-half" of the cow, or what leaves the cow. Dairy waste/byproduct and the management of those nutrients is an important aspect of these large livestock operations and will be a primary focus of the research center. The dean also hopes that the center will be a great place for collaboration by other institutions and industry members, while also being a potential recruitment tool for the college.

HJR5 is Moving Forward

This past fall, Idaho voters overwhelmingly voted to support HJR5, which placed into the Idaho Constitution the authority for the Legislature to review agency rules; and to accept or reject them, in whole or in part.

The Legislature is now updating Idaho Code to conform with the constitutional amendment. House Bill 1 (HB1) is focused primarily on defining what "in whole or in part" means. The legislature wants to make it clear that they will not do what detractors said during the debate

around HJR5 and either delete or change one or two words in a rule.

In fact, the legislative intent of the bill says: "The power of the Legislature to approve or reject a part of a rule applies only to the entirety of a provision, such as a subsection or a subparagraph, or to any new or amended language contained in such a provision. The Legislature does not have the authority to reject certain and select words or phrases that would alter the meaning or purpose of the entire rule."

The Legislature is living up to

their word and moving forward to implement exactly what they said they would do. HB1 passed through the House State Affairs Committee this week and has also passed on the House floor by a vote of 68-0. Rep. Tom Loertscher (R-Iona) was the floor sponsor and is also the chairman of the House State Affairs Committee. HB1 will now move to the Senate for consideration where it is expected to pass easily. **IFBF supports HB1**

Livestock Traceability

The Governor has asked for a one-time supplemental appropriation of \$750,000 for FY2017 to purchase software for use by the Brand Board and Idaho Department of Agriculture. This would facilitate the electronic management of animal identification numbers and other data pertaining to livestock movements into and out of the state.

According to ISDA, this will better protect Idaho's livestock industries by establishing a faster, more comprehensive and more reliable method to determine the location and movements of individual or groups of animals to mitigate the spread of disease. Rather than taking

days or even weeks under the current system of paper health certificates that are used when importing or exporting livestock, the new system would allow for trace-back within hours or even minutes if there is a disease concern.

This would greatly speed up the process of identifying and testing other livestock that have been in contact with a suspect animal and would allow for quicker containment and/or quarantine if there is a disease risk. Each year Idaho receives approximately 24,000 Certificates of Veterinarian Inspection allowing more than 500,000 head of livestock to enter Idaho and more than 600,000 head of

livestock to leave Idaho. These health papers also report the vaccination status, results of disease testing and unique animal identification number of each animal tested or vaccinated, as well as the name and address of the owner.

Clearly, this would be a huge job to sort through all the paper documents to identify a specific animal, much less to find those other animals that the suspect may have been in contact. The electronic process will save time and money in the long run, especially if an outbreak can be contained faster and result in fewer animals needing to be quarantined or destroyed.

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