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“It will be of little avail to the people, that the laws are made by men of their own choice, if the laws be so voluminous that they cannot be read, or so incoherent that they cannot be understood: if they be repealed or revised before they are promulgated, or undergo such incessant changes, that no man who knows what the law is today, can guess what it will be tomorrow.”
James Madison, The Federalist Papers, essay #62

Immigration Bill

The House State Affairs Committee voted to introduce a bill that deals with enforcement of immigration law. H198 focuses solely on the prevention of sanctuary cities and any discouragement to cooperate with federal immigration agencies. Any city or county enacting a policy that would obstruct federal immigration law enforcement would be at risk of losing 50% of its portion of state sales tax.

The Idaho Farm Bureau worked with the sponsor of the bill to resolve many of our concerns with the original bill, H76. Due to the nature of the agricultural workforce, the Farm Bureau closely monitors policies that would jeopardize our already unstable labor force. We believe that the U.S. Congress and the federal government are responsible for our nation’s immigration policies and border protection. American Farm Bureau policy supports border security and interior enforcement as an integral part of responsible immigration reform. We call on Congress for action on the issue of immigration reform, which will

Dyed Fuel One Bill Pulled One Bill Advances

Senate bills 1052 and 1072 were heard last Tuesday in the Senate Transportation Committee.

S1052, the bill which eliminated the dyed diesel exemption was held in committee at the request of the sponsor, Jerry Deckard, CapitolWest Public Policy Group. Sen. Chuck Winder (R-Boise) admitted that S1052 was used as an incentive to support S1072 and said “. . . this wasn’t Jerry’s idea. I put him up to it. Ag’s not the main problem, it’s other users as well.”

Sen. Bert Brackett (R-Rogerson) presented his bill S1072, which establishes a dyed fuel enforcement (DFE) program in Idaho. The provisions of the bill have been discussed in a prior article. Farm Bureau has no issue with much of the bill’s content

benefit our industries and national security.

Whereas H198 addresses the issue of sanctuary cities, to which Farm Bureau does not have a policy, the Idaho Farm Bureau will be neutral on the bill.

but attempted amendment of the bill to provide additional security and clarity for Farm Bureau members.

IFBF was unable to reach agreement on amendments with Chairman Brackett on four issues: 1) funding, 2) information sharing, 3) bulk storage tank inspection and 4) significant first-time penalties. These are the basis of the Farm Bureau opposition. Farm Bureau by no means advocates or supports tax evasion or any other illegal activity and always advises its members to comply with the law.

S1072 received a “do pass” recommendation on a voice vote. Senator Mark Harris (R-Soda Springs) voted “no” and recorded his vote.

Idaho Farm Bureau continues to oppose S1072 as written. The bill is supported by the Idaho Grain Producers, Idaho Dairymen’s Association, Idaho Cattle Association, Food Producers of Idaho, Associated General Contractors, Union Pacific Railroad, Riley and Associates, AAA, and the Idaho Trucking Association.



Stockwater Bills Moving Forward

After several years of collaboration and effort to put the Idaho Supreme Court's landmark *Joyce Livestock* decision into Idaho Code, the bills are finally moving forward. Senator Steve Bair (R-Blackfoot), Chairman of the Senate Resources & Conservation Committee has scheduled a hearing for both stockwater bills next Wednesday, March 1 at 1:30 pm.

The first bill, S1111 places the important elements of the Idaho Supreme Court decision into Idaho Code. It states that no federal agency can receive a stockwater right unless the agency owns livestock and puts the water to beneficial use. It clarifies that a stockwater right is a water right used to water livestock, and it

also clarifies that a grazing permittee on a federally administered grazing allotment is not an agent acting on behalf of the federal government. S1111 specifies that any change in use or ownership of a stockwater right that does not comply with the provisions of the bill will be denied. Senator Mark Harris (R-Soda Springs) is the sponsor of S1111.

The second bill, S1101, seeks to assist those ranchers who had filed legitimate stockwater claims during the Snake River Basin Adjudication but were bullied into withdrawing their claims by the BLM. The BLM filed competing claims and told the ranchers that they would fight them in court and it would cost the ranchers a bundle of money if they

did not drop their claims. Now that the Idaho Supreme Court has confirmed that federal agencies are not entitled to stockwater rights unless they put the water to beneficial use, the ranchers can again file their claims. S1101 would cap the amount of fees or other costs associated with filing stockwater claims at a maximum of \$100. Much of the work that was completed during the original filing of claims by these ranchers can now be used to ensure they finally receive their legitimate stockwater rights. S1101 is sponsored by Senator Bert Brackett (R-Rogerson).

IFBF policy #53 supports codifying the *Joyce Livestock* decision, and **IFBF supports both S1111 and S1101.**

Invasive Species Presentation

The Idaho Council on Industry and the Environment held its annual Gold Room Workshop on Wednesday afternoon. This year's workshop was titled: "Invasive Species: Knocking on Idaho's Door," with members of the Invasive Species Legislative Working Group, Idaho State Department of Agriculture, and the Pacific Northwest Economic Region discussing the threat of aquatic invasive species to the state.

During the presentation, members of the Invasive Species Working Group gave an overview of their findings and recommendations to the state. Some of those findings include: establishing an infraction violation and fine for those people with watercraft who bypass inspection stations; expanding times of operations for important check stations; making the invasive species stickers available for sale at all watercraft inspection stations; continuing training for port-of-entry inspectors; and increasing the out-of-state motorized boat registration tag.

With detection of quagga mussels in Montana waterbodies as of late 2016, greater concern is now being given to

protect waterbodies in the Northwest states. Matt Morrison of the Pacific Northwest Economic Region outlined some of the potential economic impacts that the region would experience if quagga mussels were ever introduced into the Columbia River system. In Idaho alone, it is estimated to cost over \$90 million annually to deal with the problems of these invasive species. The mussels would be particularly devastating to the state's water infrastructure facilities (hydro-electric plants, irrigation systems, municipal water systems, etc.), besides other devastating environmental impacts to wildlife and wildlife habitat.

Lloyd Knight gave an overview of the aquatic invasive species program and shared with the committee information gathered by ISDA regarding the locations of where boats are coming from before they enter into Idaho. Over the past several years since the program was started, watercraft from all 50 states have entered into Idaho's borders. Those boats that are coming from high-risk waterbodies are offered a voluntary hot-rinse decontamination service for their watercraft. If live mussels are found, the

vessel is quarantined by law until it is decontaminated.

So far, this legislative session has seen two bills and one emergency appropriation come forward to address different aspects of the quagga mussel problem. The appropriation was for \$710,000 to help boost inspection stations hours, open new locations and increase the number of employees before the end of the fiscal year. Descriptions of the two bills follow:

S1068 – This bill amends the Idaho Invasive Species Act by the addition of an Office of Invasive Species Policy within the Office of Species Conservation. This legislation sets up the duties and reporting requirements of the policy administrator of that office and lays out the coordination efforts between State agencies.

Invasive Species Nonresident Sticker Fee (the bill number is forthcoming) - this bill will raise the registration fee for out-of-state boaters from \$22 to \$30, it is expected to bring in another \$100,000 to \$150,000 a year to help fund the state's border checkpoints.

Salmon Reintroduction Prevention Bills Introduced

Idaho Farm Bureau Federation Policy #93 Introduction of Salmon: “We oppose the introduction of salmon above Brownlee Dam.”

As our policy clearly states, the Idaho Farm Bureau Federation (IFBF) opposes introduction of salmon above the Brownlee Dam and the Hells Canyon Hydroelectric Project (HCC or Complex).

Idaho Power Company’s (IPC) HCC is undergoing Federal Energy Regulatory Commission relicensing. The state of Oregon is attempting to require IPC to implement fish passage on those dams and introduction/reintroduction (Reintroduction) of anadromous fish above the HCC.

This would result in salmon in Idaho waters above Brownlee Dam; violating

Idaho law, policy and sovereignty. Governor Otter has advised the Governor of Oregon of Idaho’s opposition to Oregon’s Reintroduction effort, but the state of Oregon has continued to insist on its passage and Reintroduction measure. If Reintroduction were successful, the hundreds of millions of dollars in mitigation costs would be passed to IPC ratepayers and Idaho water users - irrigators, municipalities, individuals, and businesses.

HJM002 and House Bill 169, 170 and 171 were recently introduced in response to Oregon’s Reintroduction effort. HJM002 is a statement to Congress and the Idaho delegation from the Idaho House and Senate stating the Idaho legislature’s opposition to Reintroduction.

H169 says the Idaho Legislature must first approve any action taken by any federal agency, state, state agency or any entity to introduce or reintroduce any species in the state of Idaho. H170 clarifies Idaho law to make it even clearer that consultation with the state of Idaho must be conducted and that introduction or reintroduction of any aquatic or terrestrial species requires approval of the state of Idaho and that the policy is not limited to listed species. H171 amends Idaho law to make it consistent with the Idaho policy and law that fishways are not to be required at the HCC.

The bills are currently on the House 3rd Reading Calendar. **Idaho Farm Bureau supports HJM002, H169, H170 and H171.**

New American Economy Press Event

The Idaho Farm Bureau, in conjunction with the New American Economy, hosted a press event on Tuesday morning, highlighting the contribution of immigrants to our state and nation. Other participants were representatives of the Idaho dairy industry and faith-based community. The event marked the launch of a new study on America’s foreign-born population call “Map the Impact.” The purpose of the event was to call on Congress to fix the nation’s immigration system and not ignore the problem.

The agriculture sector relies heavily on immigrants to meet their labor needs. In

Idaho, there are many farms that struggle to have enough labor to maintain their current operations, let alone expand or grow them. Increasingly, labor not capital is the largest limiting factor in agriculture operations and management. Instability in the agriculture workforce is just one of the negative symptoms of the broken immigration system.

A total of 93 similar press events took place across the country on the same day. To see the impact that immigrants make to our state and communities, visit the “Map the Impact” website at <http://www.newamericaneconomy.org/locations/>

Field Burning Bill Moves On

The House Environment, Energy & Technology Committee voted to send S1009 to the floor with a do pass recommendation on Monday. Many farmers came to express their support of the bill that would adjust burn approval criteria for agriculture field burning in the state. Without these adjustments, the number of burn days would be greatly limited throughout the burning season.

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**

H140 – State Water Plan

On Thursday afternoon, the House Resource Committee unanimously voted to send H140 to the floor with a do-pass recommendation. The bill would amend Idaho Code 42-1734B, to clarify that the Idaho Water Resources Board shall provide notice to each member of the legislature of any changes made to the State Water Plan. We believe that this amendment will only further the transparency of Idaho’s management of its water resources, and ensure that all members of the legislature are aware of any proposed change and modification to this important plan.

Idaho Farm Bureau policy #37 supports legislative approval for any change to the state water plan. **IFBF supports H140**

How to Contact Legislators

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