



CAPITOL REVIEW

A WEEKLY LEGISLATIVE REPORT

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Vol. 19 No. 6

02/15/2019

PROPANE TANK SAFETY LAW

H94 would provide a layer of safety for the public propane consumer. The safety of Idahoans is put at risk when discount propane providers fill propane tanks already leased to customers by Idaho propane companies. Normally, discount propane providers do not conduct safety inspections or leak tests, and very often overfill tanks to dangerous levels. H94 will **protect consumer safety by restricting** the filling of propane gas storage tanks or cylinders to its owner or someone having the owner's authorization. The tanks are an integral part of a pressurized fuel system. If a tank is not filled properly and becomes damaged because of negligent actions, or is filled with contaminated gas, an accident could occur, resulting in property damage and personal injury. Additionally, H94 provides **liability protection and legal recourse** in the event of a violation. An individual who owns a container, or his agent, has the greatest interest in seeing that only safe filling procedures are followed and that all governmental regulations are met. Propane tanks owned by the customer can be filled by any company the customer chooses and would not be affected by this legislation. This bill has the support of agricultural cooperatives in Idaho, Idaho Consumer-Owned Utilities Association and the Rocky Mountain Propane Association, a number of which have members that dispense propane. A similar piece of legislation was before the legislature a few years ago and did not move forward due to free market concerns that this year's language attempts to address. The bill passed out of the House Business Committee and will now go to the House floor to be voted on.

RAISING OF ANDERSON RANCH DAM

Local, state and federal officials are pursuing a plan to raise storage capacity to combat increasing water demand as the Treasure Valley's population grows. HJM4 supports the efforts of raising Anderson Ranch Dam designated in the interest of promoting additional water security. The **raising of Anderson Ranch Dam would provide an additional 29,000 acre-feet of water storage** on the Boise River system. The dam is currently 456 feet high and is on the south fork of the Boise River, 28 miles northeast of Mountain Home. It

has a **total storage capacity of 474,900 acre-feet** and was the world's highest earth fill dam at the time of its completion in 1950. The memorial urges Idaho's congressional delegation to ensure completion of the feasibility study and National Environmental Policy Act analysis in a timely manner and to advance the project through any additional congressional action necessary. The total projected cost of the development would run around **\$40 million** and the state's share would potentially be **\$20 million**. Though the memorial is specific to one dam, water capacity continues to be a chief concern of agriculture as well as growing municipalities around the state.

DIRECTOR GOULD

This week the Senate Ag Affairs Committee discussed the confirmation of **ISDA Director Celia Gould** to serve as the Director of Idaho State Department of Agriculture. Director Gould was recently appointed by Governor Brad Little and will now need to be confirmed by the Idaho Senate for her next term of appointment to lead the Department. Director Gould, a former **State Legislator for 16 sessions**, was appointed by Governor C.L. "Butch" Otter during his first-term and served all **12 years** with the Otter administration. She is the first female appointed to the position and has served longer than any other Director for the department as she now embarks on a fourth term in this leadership role. The **department oversees an industry that generates 20% of Idaho's total economic output in sales and 16% of the GDP**. Director Gould shared statistics that 35% of the current benefitted employees at ISDA have been with the agency less than two years and 24% have been with the agency less than one year. The Department has a **workforce of 500** in peak seasons and 70% of them work somewhere in the state outside of Boise. Director Gould stated "**ISDA has become a prime place for businesses to poach highly trained employees.**" Though it may be a good reflection on training and services the department participates in, at times the negatives can outweigh the positives. The vote on the confirmation will be held by the committee one week from her presentation.

COMPENSATION FOR WILDLIFE DAMAGE

H80 would expand the ability of land owners and those leasing ground to **file damage claims for irrigation equipment and prepared seedbed damage**. Wildlife populations are increasing in some agricultural areas of the state, which produces more opportunity for damage to an array of agricultural equipment and land. In order to file a claim, a landowner or lessee must notify the Department of Fish & Game **within 72 hours of discovering damages and follow-up the initial verbal notification with a written notice within 20 days** of discovering the damages. Testimony from agricultural groups supported H80 and conveyed that depredation issues across the state have been a continual problem for land owners and lessees. H80 unanimously passed through the House.

NOXIOUS WEED AWARENESS

The Idaho Weed Control Association led the charge with a **Noxious Weed Legislative Awareness** luncheon held this week on Valentine's Day. The program included Jeremy Varley, ISDA Noxious Weed Section Manager, explaining the Idaho Noxious Weed Program and the role played by the ISDA. Legislative members attending were provided U of I Noxious Weed Books listing the **67 noxious weeds** on the official list for Idaho. Also, presenting during the noon program was Bas Hargrove of The Nature Conservancy, who provided information related to the CWMA's (Cooperative Weed Management Areas) of Idaho. The state has over **35 CWMA's** in operation involving landowners, local, county, state and federal agencies. A total of **15 legislators** attended the event.

IDAHO POTATO COMMISSION

President and CEO of the **Idaho Potato Commission** (IPC), Frank Muir, presented to the Senate Agricultural affairs Committee this week for their annual report. In his presentation, Muir addressed several issues facing the industry including Pale Cyst Nematode (PCN) and the detrimental effects on the industry if the pest is left unchecked. PCN is a major pest of potato crops in cool-temperate areas worldwide and primarily affects plants within the potato family including tomatoes, eggplants, and some weeds. If left uncontrolled, **PCN can cause up to 80 percent yield loss in potato fields**. Large numbers of the nematodes cause wilting, stunted growth, poor root development and early plant death. PCN is not harmful to humans or animals but has been detected in a small area within a 7.5-mile radius spanning parts of northern Bingham and southern Bonneville Counties.

This has been widely reported the past few years and has been devastating for the farmers of the **29 fields that have had to go through the eradication process**. Those growers have lost the ability to produce and sell commodities from their quarantined

fields but are currently testing to get back into compliance. It has also closed some international markets while the Idaho potato industry could demonstrate and verify that their product was free of the nematode. The positive news has been that Idaho has caught the spread of PCN early and continued to take aggressive measures that have allowed the industry as a whole to get back to business as usual. With the Japanese agreeing to accept potatoes from Idaho last year, all of the foreign markets that originally stopped admitting potatoes are again allowing shipments.

The Idaho Legislature **created IPC in 1937 to provide market development, production research and the promotion of potatoes grown in Idaho**. The commission is governed by **nine (9) governor-appointed commissioners** from industry nominations. The IPC commissioners are made up of five growers, two processors and two shippers. They currently employ **18 staff, including 7 field directors**. The IPC is a self-governing state agency that receives the majority of its revenue through a potato assessment split of 60% from growers and 40% from the first handling of shippers and processors. The **current assessment is set at 12.5 cents per hundred-weight** and Idaho Code gives the board the right to set the assessment rate as high as 15 cents per hundred-weight. For their 2018 fiscal year, IPC ended with a total revenue of \$15,383,107 which is \$497,179 less than 2017 due to decreased acres and yield versus last year. Expenditures for 2018 totaled \$15,425,361 and was disbursed on consumer advertising, research & education, retail, food promotion and administration. The commission's expenses increased by \$598,201 or 4% from 2017.

100 YEARS

A House Concurrent Resolution has been introduced in recognition of the **100 years** of the **Idaho State Department of Agriculture**. Idaho is home to nearly 25,000 farms and ranches and raises more than 185 different commodities. The proposal is a House Concurrent Resolution (HCR11) and is being sponsored by **Rep. Caroline Troy** of Genesee. She stated that Idaho ranks in the top ten in production or receipts in **30 of the 185 commodities**, has the distinct honor of being the third largest agriculture state in the West and second in net farm income. The Idaho State Department was **established in 1919** to serve and regulate this cornerstone industry for Idaho citizens. The Department oversees more than 60 sections of Idaho Code.

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