

MINUTES OF MARCH 30, 1971

MEMBERS PRESENT: CHAIRMAN: Virgil Getto, Melvin (Bode) Howard,
Norman Glaser, Frances Hawkins, William
Swackhamer, Roy Young, Roy Torvinen

Guest: Lee Burge, Director Agriculture Department.

Chairman Getto called the meeting to order at the hour of 11:15 a.m.

The first order of business before the committee was:

AB 676: Regulates nursery growing grounds and provides for certification of nursery stock.

Mr. Getto asked Mr. Burge if this was an important bill for the department, he stated they had received a little flak on this particular bill.

Mr. Burge asked what portion

Mr. Getto replied the whole concept of the bill, Mr. Getto once again asked how badly this bill was needed. Some of the people feel that the more power you give to the department, the more they want. There has been some criticism, maybe because of your employees not knowing the law, for an example, a hardware store was selling bulbs and one of the department people came along and told him he needed a license, and further harassed them, so this brought opposition. Under this bill, would you need a license if all that was sold was bulbs, small trees things of this type.

Mr. Burge stated they would be exempt, if there was no commercial nursery.

Mr. Swackhamer asked Mr. Burge why would you exclude people where there isn't a commercial nursery, and include them where there is, it seems to me, I would like to see the law used to give a commercial nursery any kind of exclusive franchise in the area, I think everybody should have a right.

Mr. Burge stated it would cause a hardship on the community.

Mr. Swackhamer said the people has to take some responsibility on themselves, I don't think you have to have a law for every possible contingency.

Mr. Swackhamer MOVED FOR INDEFINITE POSTPONEMENT OF AB 676, SECONDED, Miss Hawkins had a question, she didn't see how any grocer could get upset over this law, because he is certainly not establishing a nursery growing ground in his store, so I don't know how they can complain about including this in this law.

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Mr. Swackhamer replied with, do you think the fact that the consumer can get moldy products, he could look at them and see they were no good.

Miss Hawkins stated he couldn't until he unboxed them.

Mr. Swackhamer again stated did there have to be a law for everything?

MR. GETTO PUT THE QUESTION TO THE COMMITTEE FOR INDEFINITE POSTPONEMENT OF AB 676, MOTION CARRIED.

SB 124: Requires certain additional information on weight certificates

Mr. Getto asked Mr. Burge to explain the need for this bill. He had some questions from the Assembly why the need for this bill, what is wrong with the present law?

Mr. Burge replied it was simply to straighten out the language that was put in two years ago.

which in on the second page of subsection 4 it says the same thing only it puts it in writing; With one additional word, tare weight of the unladen vehicle or container or most such gross tare weight resulting to that (___ ? ___) if you have a net weight you have to have a tare. That's the whole point.

Mr. Getto: Sub paragraph two, "The gross weight of the product and the vehicle or container thereof," what do you mean by that?

Mr. Burge: there must be a tare on the vehicle or the tare that you weight.

There was further committee discussion and

Mr. Getto stated that a different approach was taken by saying that " nothing in this section shall be construed to prohibit public weightmasters from issuing;" this is sort of a negative approach then with your new suggestion this is wiped out, by saying the public weightmasters shall record the following when issuing any weight certificates, etc.

Mr. Getto asked if there was any further discussion on this matter,

MR. GLASER MOVED A DO PASS, SECONDED BY MISS HAWKINS, MOTION CARRIED for a Do Pass on SB 124.

AB 706: Provides for cleaning, disinfecting, and sterilizing trucks hauling livestock.

MR. HOWARD MOVED TO INDEFINITELY POSTPONE, SECONDED BY MR. GLASER, MOTION CARRIED, Indefinitely Postpone AB 706:

AB 281: Pesticide bill (already has a do pass from committee)

Mr. Burge referred to this bill because of a letter he had received from Mr. Charles Ellington, the former Director of Agriculture in Ohio, now employed by the National Agriculture Chemicals. He appeared at a meeting in Washington on the EPA-- Environmental Protection Agency, in this letter he stated, if you think the states took a beating on the meat and poultry inspection, take a look at HR 4152, this is his personal belief, that if this is passed in it's present form, that if a state doesn't have a program, as is incorporated in the two bills (AB 280, 281), will be denied the use of pesticides that are classed as restricted. He states further on that unless the states do have a controled program EPA may have some authority to stop interstate trade.

Mr. Swackhamer asked Mr. Burge how much it would cost you, if we have to pass this without an amendment, could you work around this some way to get the personel needed?

Mr. Burge answered that if that happened he would have to make a priority and cut out some other activities. This bill is so important, I would not say do not pass it.

Mr. Burge further stated that the two bills required a lot of hearings and he had \$100 in the Governors budget right now to cover this.

Mr. Burge stated they did need this bill because of the EPA. The Federal Government will be restricting a lot of the pesticides that are important to agriculture.

This bill is presently in Ways and Means, and it was suggested that Mr. Burge talk to the Governor about the funding that is included in the bill. And further that is the money is taken out of the bill it is so important, it should still be passed.

The committee spoke of an amendment by the Senate Finance Committee, it is the one that changes SB 30 as far as unclassifying the Director of Agriculture, it will make it an appointment by the Governor by recommendation by the Board, also in the same amendment they want to take out the Librarian, and the Dairy Commissioners. I need approval of the committee to ask for this amendment. There is still concern about the Brand Inspection, that it can crop up again by a promotion in the Department.

MR. GLASER MOVED FOR THE AMENDMENT, SECONDED, 4 AYES, 2 NO, MOTION CARRIED FOR. THE AMENDMENT ON SB 30:

Meeting adjourned at the hour of 11:50 a.m.
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