

E. S. No. 10

Introduced by

Elmer E. Leat  
John W. Armstrong

A BILL

FOR

AN ACT to amend and re-enact Section 34-701, Wyoming Compiled Statutes, 1945, providing for the labeling and contents of labels on sale of certain seeds; to amend and re-enact Section 34-705, Wyoming Compiled Statutes, 1945, prohibiting the sale of seeds containing certain primary weed seeds, and providing for tolerance in the sale of seeds containing certain secondary noxious weed seeds; to amend and re-enact Section 34-704, Wyoming Compiled Statutes, 1945, as amended by Chapter 117, Section 1, Session Laws of Wyoming, 1947, and Chapter 103, Section 1, Session Laws of Wyoming, 1949, providing for sale and distribution of any agricultural or vegetable seeds upon obtaining a certificate of registration from the State Department of Agriculture of Wyoming; to amend and re-enact Section 34-712, Wyoming Compiled Statutes, 1945, providing for disposition of fees to "Seed, Feeding Stuffs, and Fertilizer Fund."

January 11, 1951  
Introduced

Read first time  
Referred to Com. No. 5  
Delivered to Printing Com.

January 15, 1951  
Delivered to Com. No. 5

January 18, 1951  
Returned from Com. No. 5

Recommended to pass Placed on general file

January 19, 1951  
Considered in committee of the whole  
Recommended to be amended as follows:

E. S. No. 10 - Am. C. of W. Page 5, line 6, after the word "business" place a period and strike balance of Section "c".

So amended to pass  
Report of Com. of Whole adopted  
Placed on Second Reading

January 20, 1951  
Read second time  
Order engrossed for third reading  
Delivered to Com. No. 18.

JAN 22 1951

Returned from Com. No. 18

JAN 22 1951

PLACED ON THIRD READING

READ THIRD TIME

PASSED

Ayes 48, Noes 2, Excused 8, Absent 2

Sent to Senate

Received from House JAN 23 1951

Read first time JAN 23 1951

Referred to Com. No. 5

Delivered to Com. No. 5 JAN 23 1951

JAN 27 1951

Returned from Committee No. 5  
Recommended to be amended as follows:

E. S. No. 10 to be amended as follows:

On line of the Title, strike the word "certificate" and on line 12, the words "of registration" and insert in lieu thereof the word "license".

Page 4, line 23, strike the word "retail".

Page 4, line 24, strike the words "certificate of registration" and insert in lieu thereof the words "license to sell".

Page 4, line 25, strike the words "certificate of" and on line 26 the word "registration" and insert in lieu thereof the word "license".

Page 4, line 27, strike the words "certificate of registration" and insert in lieu thereof the word "license".

Page 5, line 2, strike the word "certificate" and insert in lieu thereof the word "license".

Page 5, lines 6, 7, 8, and 9, strike the House Amendment and insert in lieu thereof the following: "which is selling in packets or packages of not more than ten (10) pounds and the payment of Ten Dollars (\$10.00) for each such place of business which is selling in packets or packages of over ten(10) pounds."

Recommended to pass as amended

Placed on GENERAL FILE

JAN 25 1951

Considered in Committee of the Whole

Standing Committee

Accepted

Amend as follows:

Page 5, strike lines 5, 6, 7, 8, 9 and standing committee amendments on Page 5, and insert in lieu thereof the following "such place of business selling in packages of over (10) pounds the payment of (\$10.00) ten dollars".

Amendment adopted

Amend as follows:

(all reference is to printed copy)  
Page 2, Line 3, place ~~it~~ following word "of" strike word and figure one (1) and insert in lieu thereof the word and figure "ten (10)".

Amendment adopted

Recommended to pass as amended

Committee of Whole Report Adopted

JAN 26 1951

READ SECOND TIME

Ordered read third time

JAN 27 1951

READ THIRD TIME

Failed to Pass. Ayes 12, Noes 5, Excused 6, Absent 2  
Sent to House  
Notice will call for re-consideration

JAN 29 1951

Law. Green names for re-consideration  
Passed. Ayes 20, Noes 2, Excused 2, Absent 2

READ THIRD TIME

Passed. Ayes 20, Noes 2, Excused 2, Absent 2

Sent to House

JAN 29 1951

Received from Senate

JAN 30 1951

House did not

*concur  
ayes 48, nays 0, absent 5  
Jan 30, 1951 Conference  
Committee appointed  
Report of Conference  
Committee*

We, your conference committee, duly appointed, on House Bill No. 10, respectfully report the same back to the Senate and the House and recommend as follows:

Page 2, line 27, strike the word and figure "five (5)" and insert in lieu thereof the word and figure "ten (10)".

Page 3, line 2, strike all of the line and all of line 3.

Page 5, strike all of lines 5 through 9 including the Senate amendment thereto and insert in lieu thereof the following:

"The payment of ten dollars (\$10.00) for each such place of business which is selling in packets or packages of more than ten (10) pounds.

FEB 1, 1951

*House did adopt Joint Conference  
Committee Report by vote indicated  
on House Bill #10*

PASSED

Ayes 47, Nays 0, Excused 9, Absent 2

Delivered to Com. No. 18

H.B. No. 10

Introduced by Elmer R. Lee

John W. Armstrong

A BILL

FOR

AN ACT to amend and re-enact Section 34-701, Wyoming Compiled Statutes, 1945, providing for the labeling and contents of labels on sale of certain seeds; to amend and re-enact Section 34-703, Wyoming Compiled Statutes, 1945, prohibiting the sale of seeds containing certain primary weed seeds, and providing for tolerance in the sale of seeds containing certain secondary noxious weed seeds; to amend and re-enact Section 34-704, Wyoming Compiled Statutes, 1945, as amended by Chapter 117, Section 1, Session Laws of Wyoming, 1947, and Chapter 103, Section 1, Session Laws of Wyoming, 1949, providing for sale and distribution of any agricultural or vegetable seeds upon obtaining a certificate of registration from the State Department of Agriculture of Wyoming; to amend and re-enact Section 34-712, Wyoming Compiled Statutes, 1945, providing for disposition of fees to "Seed, Feeding Stuffs, and Fertilizer Fund."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WYOMING:

Section 1. That Section 34-701, Wyoming Compiled Statutes, 1945, be amended and re-enacted to read as follows:

34-701. Each and every package or lot of seed, excepting only seeds in a packet or package of ONE (1) pound or less, whether in package or in bulk, which is sold, offered or exposed for sale by any person, firm, or corporation in the State of Wyoming, shall be plainly, legibly and indelibly labeled in English upon the exterior of the container with a written or printed label. Such label shall show:

First, the commonly accepted name of the kind and variety, or kind and type of seed;

Second, the full name and address of the person or persons, firm or corporation selling, offering, exposing or transporting the seeds for sale;

Third, the percentage of pure seed, the percentage of crop seed (not to be added to pure seed), the percentage of inert matter, the percentage of common weed seeds by weight, the percentage of germination, the percentage of

hard seed and the MONTH AND YEAR OF THE GERMINATION TEST, \* \* \* WHICH TEST SHALL HAVE BEEN MADE WITHIN TWELVE (12) MONTHS PRIOR TO THE SALE OF SAID SEED;

Fourth, origin of the seed; \* \* \*

Fifth, lot number or other lot identification;

SIXTH, NAME AND NUMBER OF EACH KIND OF SECONDARY NOXIOUS WEED SEEDS AS HEREINAFTER SET FORTH IN SECTION 34-703 PER POUND AND IN CASES OF LOTS OF BULK SEED, A LABEL, AS REQUIRED BY THIS SECTION, MUST BE CONSPICUOUSLY DISPLAYED ON THE CONTAINER OF SAID LOTS OF BULK SEED. AT THE PURCHASER'S REQUEST, A PRINTED OR WRITTEN STATEMENT, TAG OR LABEL BEARING THE REQUIRED LABELING INFORMATION SHALL BE FURNISHED ON LOTS OF FIVE (5) POUNDS OR LESS OF BULK SEED AND IN THE PURCHASER'S PRESENCE THIS INFORMATION SHALL BE TAKEN FROM THE CONTAINER LABEL. ALL SALES FROM LOTS OF BULK SEED IN QUANTITIES OVER FIVE (5) POUNDS MUST BE LABELED ACCORDING TO THE PROVISIONS OF THIS SECTION; AND

SEVENTH, THE WORDS "POISONOUS TREATED" SHALL APPEAR IN BOLD PRINT ON THE LABEL OF SEEDS TREATED WITH CHEMICALS WHICH ARE TOXIC OR POISONOUS TO EITHER HUMANS OR LIVESTOCK.

Section 2. That Section 34-703, Wyoming Compiled Statutes, 1945, be amended and re-enacted to read as follows:

34-703. No person, firm, or corporation shall sell, offer or expose for sale or distribution in the State any agricultural or vegetable seeds which contain any of the seeds of such noxious weeds as hereinafter listed: \* \* \* Horsenettle (*Solanum Carolinense*), WHITE HORSENETTLE (*SOLANUM ELAAGNIFOLIUM*), Austrian Field Cress (*Roripa Austriaca*), Camelthorn (*Alhagi Camelorum*), Field Bindweed (*Convolvulus Arvensis*), Canada Thistle (*Cirsium Arvense*), Leafy Spurge (*Euphorbia Esula*), \* \* \* Perennial Sow Thistle (*Sonchus Arvensis*), Quackgrass (*Agropyron Repens*), Russian Knapweed (*Centaurea Repens*), St. Johnswort (*Hypericum Perforatum*), Whitetop (*Lepidium Draba*, *Repens*, AND *HYMENOPHYSA PUBESCENS*), \* \* \* Ox-Eye Daisy (*Chrysanthemum Leucanthemum*), \* \* \* White Leaved Franseria (*Franseria Discolor*), \* \* \* PERENNIAL NUTGRASS (*CYPERUS ROTUNDUS*), YELLOW NUTGRASS (*CYPERUS ESCULENTUS*).

Any agricultural or vegetable seeds which contain any such noxious weed seeds shall be removed from sale in the State of Wyoming and impounded by the Commissioner of Agriculture or any of his duly authorized seed inspectors or agents and shall be released only on the following conditions:

- a. Complete destruction; OR
- b. Removal outside of the boundaries of the State; or
- c. Recleaned to the point that no such noxious weed seeds are present; OR
- d. Processing in such a way as to make the weed seeds non-viable and sold as feed.

PROVIDED THAT, A TOLERANCE, NOT IN EXCESS OF FORTY-FIVE (45) WEED SEEDS PER POUND, OR ONE (1) SEED IN THE (10) GRAMS OF THE SMALL SEEDED CROPS, AND NOT IN EXCESS OF FIVE (5) SEEDS PER POUND IN SORGHUMS AND SMALL GRAINS, BE ALLOWED IN THE FOLLOWING SECONDARY NOXIOUS WEEDS, AS HEREINAFTER LISTED:

DODDER (CUSCUTA SPECIES), BLUE MUSTARD (CHORESPORA TENELIA), YELLOW STAR THISTLE (CENTAUREA SOLSTITIALIS), BUCKHORN PLANTAIN (PLANTAGE LANCEOLATA) PUNCTURE VINE (TRIBULUS TERRESTRIS), BLUE FLOWERING LETTUCE (LACTUCA PULCHELLA), AUSTRIAN FEAWEED (SWAINSONIA SALSULA), PERENNIAL RAGWEED (AMBROSIA PSILOSTACHYA), POVERTY WEED (IVA AXILLARIS).

Section 3. That Section 34-704, Wyoming Compiled Statutes, 1945, as amended by Chapter 117, Section 1, Session Laws of Wyoming, 1947, and Chapter 103, Section 1, Session Laws of Wyoming, 1949, be amended and re-enacted as follows:

34-704. No person, firm or corporation shall sell, offer, or expose for retail sale or distribution in the State any agricultural or vegetable seeds without obtaining a certificate of registration from the State Department of Agriculture of Wyoming. Such certificates of registration shall expire annually on December 31. Application for such certificate of registration shall be accompanied by:

- a. The name and address of the person, firm or corporation to whom the certificate is to be issued; and
- b. The location of the place or places of business of the applicant; and
- c. The payment of one dollar (\$1.00) for each such place of business.

\* \* \*

Section 4. That Section 34-712, Wyoming Compiled Statutes, 1945, be amended and re-enacted to read as follows:

34-712. Any person, firm or corporation who is a resident of the State of Wyoming, may, by prepaying the transportation charges on samples to the State Seed Laboratory, secure two tests of seeds free of charge each calendar year; thereafter the fee shall be fifty cents (50¢) per sample for purity and germination, or purity only; and twenty-five cents (25¢) per sample for germination only. Fees accruing from this source shall be paid into the "SEED, FEEDING STUFFS, AND FERTILIZER FUND," in the State Department of Agriculture, and shall be paid out only for the purpose of necessary expense of administering this Act. Non-residents may secure such analysis by the payment of such a standard fee as shall be fixed by the State Seed Analyst.

All samples submitted for analysis shall be in accordance with the current prevailing regulations of sampling of seeds as set forth by the United States Department of Agriculture by virtue of the authority of the Federal Seed Act. The State Seed Analyst shall analyze seed samples in accordance with the regulations of the United States Department of Agriculture as currently set forth by virtue of the authority of the Federal Seed Act.

Section 5. This Act shall take effect and be in force from and after its passage and approval.

HB No. 10 Introduced by  
Elmer R. Lee  
John W. Watson

A BILL  
FOR

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JAN 11 1951

Introduced	<input checked="" type="checkbox"/>
Read first time	<input checked="" type="checkbox"/>
Referred to Com. No. <u>5</u>	
Delivered to Printing Com.	<input checked="" type="checkbox"/>

JAN 15 1951 DELIVERED TO COM. NO. 5

JAN 18 1951 Returned from Com. No. 5

Recommended do pass Placed on general file

JAN 19 1951

Considered in committee of the whole  
Recommended be amended as follows:

H. B. No. 10 - Amd. C. of W.  
Page 5, line 6, after the word  
"business" place a period and  
strike balance of Section "C".

So amended do pass

Report of Com. of Whole adopted

PLACED ON SECOND READING

JAN 20 1951

READ SECOND TIME

Order engrossed for third reading

Delivered to Com. No. 5



**WYOMING STATE ARCHIVES AND  
HISTORICAL DEPARTMENT**

PAGE MISSING





- a. Complete destruction; OR
- b. Removal outside of the boundaries of the State; or
- c. Recleaned to the point that no such noxious weed seeds are present; OR
- d. Processing in such a way as to make the weed seeds non-viable and sold as feed.

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- a. The name and address of the person, firm or corporation to whom the certificate is to be issued; and
- b. The location of the place or places of business of the applicant; and
- c. The payment of one dollar (\$1.00) for each such place of business WHICH IS SELLING IN PACKETS OR PACKAGES OF LESS THAN ONE (1) POUND AND THE PAYMENT OF TEN DOLLARS (\$10.00) FOR EACH SUCH PLACE OF BUSINESS WHICH IS SELLING IN PACKETS OR PACKAGES OF ONE (1) POUND OR OVER. \* \* \*

Section 4. That Section 34-712, Wyoming Compiled Statutes, 1945, be amended and re-enacted to read as follows: