

HOUSE BILL 0295

HB0295FT02

AN ACT to amend W.S. 11-2-101, 11-2-202, 11-2-203 end 11-2-204; and to repeal W.S. 11-2-205 relating to the department of agriculture; establishing the divisions of standards and of marketing and promotion within the department; prescribing duties and granting rulemaking authority; authorizing the commissioner to accept grants; providing for division directors; eliminating appointment of deputies; modifying use of University of Wyoming faculty members; providing an appropriation; and providing for an effective date.

Introduced by:

Patrick O'Boyle and Thomas James O'Brien
Lyle Dickey Shirley J. Humphrey John Berkin
W. Arthur Simon Jim Herings

DATE	ACTION	DATE	ACTION
JAN 19 1987	READ FIRST TIME	FEB 13 1987	STANDING COMM. REPORT
	REFERRED TO COM. NO. <u>5</u>		RECOMMENDED DO PASS AS AMENDED
	DELIVERED TO COM. NO. <u>5</u>	FEB 13 1987	RE-REFER TO COM. NO. <u>2</u>
JAN 27 1987	RETURNED	FEB 18 1987	STANDING COMM. REPORT
	Recommended Amend and Do Pass <i>70% 2/10/87</i>		RECOMMENDED DO PASS AS AMENDED
	from Sen. J. RE-REFER TO COM. NO. <u>2</u>	FEB 18 1987	CONSIDERED IN COM. OF WHOLE
JAN 30 1987	RETURNED		STANDING COM. AMDT. ADOPTED HB0295551/AE
	Recommended Amend and Do Pass <i>70% 2/10/87</i>		AND FURTHER AMENDED HB0295552/AE
FEB 3 1987	CONSIDERED IN COM. OF WHOLE		AMENDED AS FOLLOWS HB0295551/AE
	Standing Com. Amendment HB295451/A		AND FURTHER AMENDED HB0295552/AE
	Adopted		DO PASS
	Standing Com. Amendment HB295452/A	FEB 20 1987	READ SECOND TIME
	Adopted		DO PASS
	Recommended do pass	FEB 23 1987	READ THIRD TIME
FEB 4 1987	READ SECOND TIME		AMENDED AS FOLLOWS HB0295531/AE
	Amended as follows HB295421/A		28 PASSED 2 EXCLUDED 0 ABSENT 0
	Adopted		SENT TO HOUSE
FEB 5 1987	READ THIRD TIME	FEB 24 1987	Received Amended House did concur on Senate Amendments
	PASSED		Ayes 11, Noes 3, Excused 0, Absent 2.
	Sent to Senate		RECEIVED FROM SENATE
	ENGROSSED		SENT TO LSO FOR ENROLLING
2-6-87	Sent to Senate		RECEIVED FROM LSO ENROLLED
FEB 8 1987	Received from House		HEA NO. <u>64</u>
	Read first time		SIGNED BY SPEAKER 2-23-87
	Referred to Com. NO. <u>5</u>		SIGNED BY CLERK 2-23-87
	Delivered to Com. No. <u>5</u>		APPROVED BY GOVERNOR 2-23-87

CHAPTER NO. 111 CONTINUED ON BACK
 SESSION LAWS OF WYOMING

HB 295 3rd Date 2/23/87

SENATE ROLL CALL

FORTY-NINTH WYOMING LEGISLATURE

	Excused	Absent	Ayes	Noes
ARNEY			✓	
BURNETT			✓	
CUNDALL			✓	
DIXON			✓	
DUSL			✓	
EDDINS			✓	
FANOS			✓	
FRISBY			✓	
GRIEVE			✓	
HEALY			✓	
HERBST			✓	
HICKEY			✓	
WHALEY WHALEY			✓	
KINNEY			✓	
LARSON			✓	
MADER			0	✓
NORRIS			✓	
PERRY			✓	
PREVEDEL			✓	
REESE			.	✓
SCHMIDT			✓	
SCOTT			✓	
STROOCK			✓	
SULLIVAN			✓	
TRUE			✓	
TURNER				
TWIFORD			✓	
VINICH			✓	
WIEDERSPAHN			✓	
ZIMMER			✓	
MR. PRESIDENT			✓	

PRESENT	AYES	28
	NOES	2
	EXCUSED	0
	ABSENT	0
	TOTAL	30

HOUSE ROLL CALL

FORTY-NINTH WYOMING LEGISLATURE

	Ayes	Noes	Excused	Absent		Ayes	Noes	Excused	Absent
ARNOLD	✓				ODDE	✓			
BEBOUT	✓				O'TOOLE	✓			
BEHRENS	✓				PARKER	✓			
BIRLEFFI	✓				PERKINS, D.	✓			
BLACKWELL	✓				PERKINS, J.	✓			
BUDD	✓				PLANT	✓			
BURTON	✓				RANKINE	✓			
BYRD	✓				RATLIFF	✓			
CAMERON	✓				ROBERTSON	✓			
CHAMBERLAIN	✓				ROHRBACH	✓			
CROSS	✓				RYCKMAN	✓			
CROWLEY	✓				SCHWOPE	✓			
CUBIN	✓				SHREVE	✓			
DICKEY	✓				SIMONS	✓			
ENZI	✓				STAUFFER	✓			
FREUDENTHAL	✓				TATE	✓			
GERINGER	✓				TEMPEST	✓			
GRANT	✓				THOMAS	✓			
GUICE	✓				TIBBS	✓			
HAGEMAN	✓				TIPPETS	✓			
HANSEN	✓				TIPTON	✓			
HARRISON	✓				TYSDAL	✓			
HINES	✓				WALLIS		✓		
HONAKER	✓				WEAVER	✓			
HOWARD	✓				WILLFORD	✓			
HUMPHREY	✓				WOLFLEY	✓			
JENSEN	✓				ZIMMERMAN	✓			
LUMMIS	✓				ZUMBRUNNEN	✓			
MACMILLAN	✓				MR. SPEAKER	✓			
MALDONADO	✓				PRESENT				
MARTON	✓								
MICILVAIN	✓								
MEEHAN									
MICHEL	✓								
MILLER	✓								
MURPHY	✓								

AYES 63
 NOES 1
 EXCUSED _____
 ABSENT _____
 TOTAL 64
 LESS _____

HB 295 Third Reading Date 8/5/87

HOUSE ROLL CALL

FORTY-NINTH WYOMING LEGISLATURE

	Ayes	Noes	Excused	Absent		Ayes	Noes	Excused	Absent
ARNOLD	✓				ODDE	✓			
BEBOUT	✓				O'TOOLE	✓			
BEHRENS	✓				PARKER	✓			
BIRLEFFI	✓				PERKINS, D.	✓	✓		
BLACKWELL	✓				PERKINS, J.	✓			
BUDD	✓				PLANT	✓			
BURTON	✓				RANKINE	✓			
BYRD	✓				RATLIFF	✓			
CAMERON	✓				ROBERTSON	✓			
CHAMBERLAIN	✓				ROHRBACH	✓			
CROSS	✓				RYCKMAN	✓			
CROWLEY	✓				SCHWOPE	✓			
CUBIN	✓				SHREVE	✓			
DICKEY	✓				SIMONS	✓			
ENZI	✓				STAUFFER	✓			
FREUDENTHAL	✓				TATE	✓			
GERINGER	✓				TEMPEST	✓			
GRANT	✓			⓪	THOMAS	✓			
GUICE	✓				TIBBS	✓			
HAGEMAN	✓				TIPPETS	✓			
HANSEN	✓				TIPTON	✓			
HARRISON	✓				TYSDAL	✓			
HINES	✓				WALLIS	✓			
HONAKER	✓				WEAVER	✓			
HOWARD	✓				WILLFORD	✓			
HUMPHREY	✓				WOLFLEY	✓			
JENSEN	✓				ZIMMERMAN	✓	✓		
LUMMIS	✓				ZUMBRUNNEN	✓			
MACMILLAN	✓	✓			MR. SPEAKER	✓			
MALDONADO	✓				PRESENT		AYES	61	
MARTON	✓						NOES	3	
MCILVAIN	✓						EXCUSED		
NEEDMAN							ABSENT		
MICHEL	✓						TOTAL	64	
MILLER	✓						LESS		
MURPHY	✓								

House of Intro				Second House					
_____	To Com. No.	_____	_____	_____	To Com No.	_____	_____		
_____	Stand Report	Do	Amd	Not	_____	Stand Report	Do	Amd	Not
_____	Com Whole	Do	Amd	Not	_____	Com Whole	Do	Amd	Not
_____	2nd Reading	Amd	_____	_____	_____	2nd Reading	Amd	_____	_____
_____	3rd Reading	Amd	Pass	Fail	_____	3rd Reading	Amd	Pass	Fail

1987

STATE OF WYOMING

87LSO-0617/eng

HOUSE BILL NO. 0295

ENGROSSED

Agriculture reorganization.

Sponsored by: Representative(s) O'TOOLE, SIMONS, DICKEY,
GERINGER, HUMPHREY, HARRISON, J. PERKINS and RANKINE
and Senator(s) GRIEVE

A BILL

for

1 AN ACT to amend W.S. 11-2-101, 11-2-202, 11-2-203 and
2 11-2-204; and to repeal W.S. 11-2-205 relating to the
3 department of agriculture; establishing the divisions of
4 standards and of marketing and promotion within the
5 department; prescribing duties and granting rulemaking
6 authority; authorizing the commissioner to accept grants;
7 providing for division directors; eliminating appointment
8 of deputies; modifying use of University of Wyoming fac-
9 ulty members; providing an appropriation; and providing
10 for an effective date.

- 1 -

HB 0295

1 Be It Enacted by the Legislature of the State of Wyoming:

2 Section 1. W.S. 11-2-101, 11-2-202, 11-2-203 and
3 11-2-204 are amended to read:

4 11-2-101. Department and board created; commis-
5 sioner; divisions within department.

6 (a) A state department of agriculture is created
7 under the management and control of ~~a-board-of-agriculture~~
8 ~~acting-through-a-public-officer-known-as~~ the state commis-
9 sioner of agriculture WITH THE ADVICE OF THE BOARD OF
10 AGRICULTURE.

11 (b) THE DIVISION OF STANDARDS AND THE DIVISION OF
12 MARKETING AND PROMOTION ARE CREATED WITHIN THE DEPARTMENT
13 UNDER DIRECTION OF THE COMMISSIONER.

14 11-2-202. Powers and duties of commissioner gener-
15 ally; duties of divisions.

16 (a) The commissioner shall have his office in Chey-
17 enne; AND shall:

18 (i) Act as secretary and executive officer of
19 the board; ~~and-shall~~

20 (ii) THROUGH THE APPROPRIATE DIVISION ESTAB-

1 LISHED BY W.S. 11-2-101 AND SUBJECT TO ADVICE OF THE
2 BOARD, enforce and execute all laws of the state and rules
3 and regulations of the board; ~~7--under-the-direction-of-the~~
4 ~~board-~~

5 ~~(b)~~(iii) He--shall Encourage and promote the
6 proper development of agriculture in the state, including
7 horticulture, agriculture, LIVESTOCK, poultry, dairying
8 and the kindred industries, and ~~to--this--end--he--shall-~~
9 INCLUDING THE DEVELOPMENT OF NEW VALUE-ADDED AGRI-BUSINESS
10 AND PRODUCT USES AND MARKETS FOR WYOMING AGRICULTURAL
11 PRODUCTS;

12 ~~(i)~~(iv) Cooperate with other state institu-
13 tions and organizations, the agricultural departments of
14 other states and the secretary of agriculture of the
15 United States;

16 ~~(i)~~(v) Foster a practicable conservation of
17 ~~all~~ STATE natural resources; ~~of-the-state,~~

18 ~~(i)~~(vi) Collect annually from the several
19 counties in the state information concerning the extent,
20 condition and prices of farm crops and animal products,
21 the number, condition of health and value of farm animals,
22 prevailing WEATHER conditions ~~of-weather~~ and such other

1 information ~~as-is~~ of practical value to the agricultural
2 interest of the state;

3 ~~{iv}~~(vii) Publish ~~such~~ information OF PRACTI-
4 CAL VALUE TO STATE AGRICULTURAL INTERESTS for free distri-
5 bution among the farmers and other interested ~~parties~~
6 PERSONS within the state;

7 (viii) PROMULGATE NECESSARY RULES AND REGULA-
8 TIONS TO IMPLEMENT W.S. 11-2-202.

9 (b) THE DIVISION OF STANDARDS SHALL:

10 ~~{v}~~(i) ~~Aid~~ ASSIST in the grading,
11 ~~standardizing~~ STANDARDIZATION, marketing and ~~distributing~~
12 DISTRIBUTION of STATE agricultural products;

13 ~~{vi}~~(ii) Establish ~~and--promulgate,--with--the~~
14 ~~approval--of--the-board-of-agriculture,~~ necessary standard
15 grades and classifications for agricultural products SUB-
16 JECT TO APPROVAL BY THE COMMISSIONER;

17 ~~{vii}~~(iii) ~~Appoint~~ PROVIDE FOR THE INSPECTION
18 OF AGRICULTURAL PRODUCTS, FACILITIES AND EQUIPMENT AS
19 REQUIRED BY LAW AND RULE AND REGULATION AND EMPLOY neces-
20 sary inspectors, ~~of--agricultural--products~~ SUBJECT TO
21 APPROVAL BY THE COMMISSIONER;

1 ~~(viii)~~(iv) Enter into agreements AGREEMENT
2 with the United States department of agriculture whenever
3 he-deems-it WHEN necessary or advisable for-the-establish-
4 ment---of TO ESTABLISH joint state-federal inspection
5 service SERVICES in Wyoming for agricultural products; and

6 ~~(ix)~~--Prepare---exhibits---of----the----state's
7 resources,--when-ever--practicable,--for-national,--interna-
8 tional-and-state-expositions-

9 (v) NOTWITHSTANDING ANY OTHER PROVISION OF
10 LAW, CARRY OUT THE PROVISIONS OF TITLES 11, 35 AND 40 PER-
11 TAINING TO THE REGULATION, GRADING, STANDARDIZATION AND
12 CLARIFICATION OF STATE AGRICULTURAL AND ANIMAL PRODUCTS;

13 (vi) DEVELOP STANDARDS FOR MARKETING WYOMING
14 VALUE-ADDED AGRICULTURAL PRODUCTS AND PROVIDE NECESSARY
15 TECHNICAL ASSISTANCE TO AGRICULTURAL PRODUCERS IN IMPROV-
16 ING PRODUCT GENETICS AND YIELD LEVELS;

17 (vii) PERFORM OTHER DUTIES PRESCRIBED BY LAW
18 AND DELEGATED BY THE COMMISSIONER.

19 (c) THE DIVISION OF MARKETING AND PROMOTION IS
20 ESTABLISHED TO ASSIST IN THE DEVELOPMENT OF NEW MARKETS,
21 PRODUCTS AND PRODUCT USES, TO EXPAND EXISTING FOREIGN AND

1 DOMESTIC MARKETS FOR WYOMING AGRICULTURAL PRODUCTS AND TO
2 PROTECT THE AGRICULTURAL RESOURCE BASE. THE DIVISION
3 SHALL:

4 (i) ESTABLISH POLICY AND PROVIDE ASSISTANCE
5 FOR THE ENHANCEMENT AND PROMOTION OF WYOMING AGRICULTURAL
6 PRODUCTS, EMPHASIZING ATTRIBUTABLE HEALTH AND HIGH QUALITY
7 ASPECTS OF STATE AGRICULTURAL PRODUCTION;

8 (ii) WORK WITH THE UNIVERSITY OF WYOMING AND
9 THE PRIVATE SCIENTIFIC AND TECHNICAL RESEARCH COMMUNITY ON
10 THE DEVELOPMENT OF NEW AND ADDITIONAL USES OF WYOMING
11 AGRICULTURAL PRODUCTS INCLUDING THE DEVELOPMENT OF
12 VALUE-ADDED AND CONSUMER ORIENTED, FURTHER PROCESSED PROD-
13 UCTS;

14 (iii) ESTABLISH CRITERIA FOR STANDARDIZATION
15 OF INCREASED PRODUCTION AND PRODUCT TYPES UNDER THE DEVEL-
16 OPMENT OF THE NEW AND ADDITIONAL PRODUCT USES;

17 (iv) COORDINATE THE TRANSPORTATION, PROCESSING
18 AND SALE OF WYOMING AGRICULTURAL PRODUCTS, EMPHASIZING THE
19 PROFITABILITY OF THE PRIMARY PRODUCER;

20 (v) ESTABLISH COOPERATION WITH STATES SUR-
21 ROUNDING WYOMING IN DEVELOPING PROMOTION OF WYOMING AGRI-
22 CULTURAL PRODUCTS IN CONJUNCTION WITH RELATED PRODUCTS AND

1 PRODUCT TYPES PRODUCED IN THESE STATES;

2 (vi) COOPERATE WITH THE WYOMING ECONOMIC
3 DEVELOPMENT AND STABILIZATION BOARD IN THE DEVELOPMENT AND
4 EXPANSION OF NEW AND EXISTING PROCESSING FACILITIES AND IN
5 THE DEVELOPMENT OF NEW AND ADDITIONAL USES OF WYOMING
6 AGRICULTURAL PRODUCTS;

7 (vii) PREPARE EXHIBITS OF WYOMING RESOURCES
8 AND AGRICULTURAL PRODUCTS FOR DISPLAY AND USE AT RELEVANT
9 REGIONAL, NATIONAL AND FOREIGN EXPOSITIONS, EVENTS AND
10 ACTIVITIES;

11 (viii) ENGAGE IN OTHER ACTIVITIES NECESSARY TO
12 IMPLEMENT THE PURPOSES OF W.S. 11-2-202.

13 ~~(e)(d)~~ The commissioner, ~~acting under the direction~~
14 ~~of the board~~ in collecting information necessary to the
15 ~~performance of his~~ PERFORM duties OF THE DEPARTMENT AND
16 ITS DIVISIONS, may ~~call upon the several~~ REQUEST INFORMA-
17 TION FROM ANY AGENCY OF THE state, A county, city, town,
18 ~~precinct and school district officers and the officers of~~
19 ~~the several state institutions of learning, penal and~~
20 ~~other state institutions for such information as required~~
21 ~~to properly set forth the resources of the state and the~~
22 ~~development thereof. All such officers~~ OR OTHER POLITICAL

1 SUBDIVISION. AN AGENCY shall furnish ~~such~~ information upon
2 written request of the commissioner. Each AN owner, opera-
3 tor or manager of any manufacturing, mining or other busi-
4 ness establishment operating in this state, or other per-
5 son having information necessary ~~for-carrying~~ TO CARRY out
6 the purposes of this act, shall, upon request of the com-
7 missioner, furnish the information upon forms supplied by
8 the board.

9 (e) FOR PURPOSES CONSISTENT WITH DUTIES IMPOSED BY
10 LAW AND RULE AND REGULATION, THE COMMISSIONER MAY ACCEPT
11 GRANTS FROM PRIVATE OR PUBLIC AGENCIES, ORGANIZATIONS OR
12 OTHER PERSONS.

13 11-2-203. Division directors; employment of person-
14 nel. The-commissioner-shall-appoint,-with-the-approval--of
15 the--board,--necessary-deputies-chosen-because-of-peculiar
16 fitness-due-to-special-training-and--experience--Deputies
17 shall--hold-their-respective-offices-on-merit-alone,-unaf-
18 feeted-by-a-change--in--state--administration--or--in--the
19 office--of--commissioner. THE DIRECTOR FOR EACH DIVISION
20 ESTABLISHED UNDER W.S. 11-2-101 SHALL BE THE ADMINISTRA-
21 TIVE AND EXECUTIVE HEAD OF THE RESPECTIVE DIVISION AND IS
22 RESPONSIBLE TO AND UNDER THE CONTROL AND SUPERVISION OF
23 THE COMMISSIONER. THE COMMISSIONER WITH THE ADVICE OF

1 EACH DIRECTOR, MAY EMPLOY PROFESSIONAL, TECHNICAL AND
2 OTHER PERSONNEL AS NECESSARY TO PERFORM DUTIES PRESCRIBED
3 BY LAW AND RULE AND REGULATION OF THE BOARD.

4 11-2-204. Services of persons in employ of univer-
5 sity; reimbursement; applicability of provisions.

6 (a) In ~~the--branches--of-agriculture-requiring~~ PER-
7 FORMING DUTIES IMPOSED BY LAW WHICH REQUIRE technical
8 scientific training, the commissioner ~~shall-choose-his~~
9 ~~deputies-from-among-the~~ MAY REQUEST THE SERVICES OF quali-
10 fied members of the University OF WYOMING faculty, resi-
11 dent or extension. ~~These-deputies~~ FACULTY MEMBERS shall
12 serve without additional compensation but the university
13 DEPARTMENT shall ~~be---reimbursed---by~~ REIMBURSE the
14 ~~department~~ UNIVERSITY OF WYOMING for fifty percent (50%)
15 of the salary paid by the university ~~to-the-deputy~~ while
16 ~~he~~ THE FACULTY MEMBER is actually ~~employed--by~~ PERFORMING
17 SERVICES FOR the commissioner. The ~~appointment~~ USE of fac-
18 ulty members and the proportion and distribution of their
19 time shall be determined by agreement between the commis-
20 sioner and the president of the university AND THE FACULTY
21 MEMBER SHALL BE EMPLOYED BY THE DEPARTMENT WHEN PERFORMING
22 DUTIES FOR THE COMMISSIONER UNDER THIS SECTION.

23 (b) This section applies to ~~the-branches-of~~ horti-

1 culture, agriculture, poultry, dairying, food, oils,
2 seeds, marketing farm crops and ~~such~~ ANY other ~~branches-as~~
3 ~~in--the--judgment--of~~ DUTIES IMPOSED UPON THE DEPARTMENT
4 WHICH the commissioner and the board ~~can--thus--be--most~~
5 DETERMINE TO BE MORE efficiently and economically adminis-
6 tered BY USE OF UNIVERSITY FACULTY MEMBERS. This section
7 does not apply to any branch of agriculture otherwise spe-
8 cifically provided for by law.

9 Section 2. W.S. 11-2-205 is repealed.

10 Section 3. Two hundred twenty-five thousand dollars
11 (\$225,000.00) is appropriated from the general fund to the
12 department of agriculture.

13 Section 4. This act is effective July 1, 1987.

14 (END)

House of Intro
 To Com. No. _____
 Stand Report Do ___ Amd ___ Not ___
 Com Whole Do ___ Amd ___ Not ___
 2nd Reading Amd ___
 3rd Reading Amd ___ Pass ___ Fail ___

Second House
 To Com No. _____
 Stand Report Do ___ Amd ___ Not ___
 Com Whole Do ___ Amd ___ Not ___
 2nd Reading Amd ___
 3rd Reading Amd ___ Pass ___ Fail ___

INTRODUCED

1987

STATE OF WYOMING

87LSO-0617.01

HOUSE BILL NO. 0295

Agriculture reorganization.

Sponsored by: Representative(s) O'TOOLE, SIMONS, DICKEY,
 GERINGER and HARRISON and Senator(s) GRIEVE

A BILL

for

1 AN ACT to amend W.S. 11-2-101, 11-2-202, 11-2-203 and
 2 11-2-204; and to repeal W.S. 11-2-205 relating to the
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8 acting through ~~a-public-officer-known-as~~ the state commis-
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10 (b) THE DIVISION OF REGULATION AND THE DIVISION OF
11 AGRICULTURAL MARKETING AND DEVELOPMENT ARE CREATED WITHIN
12 THE DEPARTMENT UNDER DIRECTION OF THE COMMISSIONER.

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19 (ii) THROUGH THE APPROPRIATE DIVISION ESTAB-
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3 ~~board.~~

4 ~~(b)~~ (iii) He--~~shall~~ Encourage and promote the
5 proper development of agriculture in the state, including
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7 dred industries, and ~~to-this-end-he-shall:~~ INCLUDING THE
8 DEVELOPMENT OF NEW AND ADDITIONAL PRODUCT USES AND MARKETS
9 FOR WYOMING AGRICULTURAL PRODUCTS;

10 ~~(i)~~ (iv) Cooperate with other state institu-
11 tions and organizations, the agricultural departments of
12 other states and the secretary of agriculture of the
13 United States;

14 ~~(ii)~~ (v) Foster a practicable conservation of
15 ~~all~~ STATE natural resources; ~~of-the-state;~~

16 ~~(iii)~~ (vi) Collect annually from the several
17 counties in the state information concerning the extent,
18 condition and prices of farm crops and animal products,
19 the number, condition of health and value of farm animals,
20 prevailing WEATHER conditions ~~of-weather~~ and ~~such~~ other
21 information ~~as--is~~ of practical value to the agricultural
22 interest of the state;

1 ~~{iv}~~ (vii) Publish ~~such~~ information OF PRACTI-
2 CAL VALUE TO STATE AGRICULTURAL INTERESTS for free distri-
3 bution among the farmers and other interested ~~parties~~
4 PERSONS within the state. 7

5 (b) THE DIVISION OF REGULATION SHALL:

6 ~~{v}~~ (i) Aid ASSIST in the grading,
7 ~~standardizing~~ STANDARDIZATION, marketing and ~~distributing~~
8 DISTRIBUTION of STATE agricultural products;

9 ~~{vi}~~ (ii) Establish ~~and--promulgate,--with--the~~
10 ~~approval--of--the-board-of-agriculture,~~ necessary standard
11 grades and classifications for agricultural products SUB-
12 JECT TO APPROVAL BY THE COMMISSIONER;

13 ~~{vii}~~ (iii) ~~Appoint~~ PROVIDE FOR THE INSPECTION
14 OF AGRICULTURAL PRODUCTS AS REQUIRED BY LAW AND RULE AND
15 REGULATION OF THE BOARD AND EMPLOY necessary inspectors,
16 ~~of--agricultural--products~~ SUBJECT TO APPROVAL BY THE
17 COMMISSIONER;

18 ~~{viii}~~ (iv) Enter into ~~agreements~~ AGREEMENT
19 with the United States department of agriculture ~~whenever~~
20 ~~he-deems-it~~ WHEN necessary or advisable ~~for-the-establish-~~
21 ~~ment---of~~ TO ESTABLISH joint state-federal inspection

1 ~~service~~ SERVICES in Wyoming for agricultural products; and

2 ~~{ix}--Prepare---exhibits---of---the---state's~~
3 ~~resources,--whenver--practicable,--for-national,--interna-~~
4 ~~tional-and-state-expositions.~~

5 (v) NOTWITHSTANDING ANY OTHER PROVISION OF
6 LAW, CARRY OUT THE PROVISIONS OF TITLE 11 PERTAINING TO
7 THE REGULATION, GRADING, STANDARDIZATION AND CLARIFICATION
8 OF STATE AGRICULTURAL AND ANIMAL PRODUCTS;

9 (vi) DEVELOP STANDARDS FOR MARKETING WYOMING
10 VALUE-ADDED AGRICULTURAL PRODUCTS AND PROVIDE NECESSARY
11 TECHNICAL ASSISTANCE TO STATE PRODUCERS IN ATTAINING PROD-
12 UCT GENETICS AND YIELD LEVELS;

13 (vii) PROMULGATE NECESSARY RULES AND REGULA-
14 TIONS SUBJECT TO APPROVAL OF THE COMMISSIONER, TO PERFORM
15 DUTIES PRESCRIBED BY LAW AND DELEGATED BY THE COMMIS-
16 SIONER.

17 (c) THE DIVISION OF AGRICULTURAL MARKETING AND
18 DEVELOPMENT IS ESTABLISHED TO ASSIST IN THE DEVELOPMENT OF
19 NEW MARKETS, PRODUCTS AND PRODUCT USES, AND TO EXPAND
20 EXISTING FOREIGN AND DOMESTIC MARKETS FOR WYOMING AGRICUL-
21 TURAL PRODUCTS. THE DIVISION SHALL:

1 (i) ESTABLISH POLICY AND PROVIDE ASSISTANCE
2 FOR THE ENHANCEMENT AND PROMOTION OF WYOMING AGRICULTURAL
3 PRODUCTS, EMPHASIZING ATTRIBUTABLE HEALTH AND HIGH QUALITY
4 ASPECTS OF STATE AGRICULTURAL PRODUCTION;

5 (ii) COORDINATE EFFORTS OF THE UNIVERSITY OF
6 WYOMING AND THE PRIVATE SCIENTIFIC AND TECHNICAL RESEARCH
7 COMMUNITY ON THE DEVELOPMENT OF NEW AND ADDITIONAL USES OF
8 WYOMING AGRICULTURAL PRODUCTS INCLUDING THE DEVELOPMENT OF
9 VALUE-ADDED AND CONSUMER ORIENTED, FURTHER PROCESSED PROD-
10 UCTS;

11 (iii) ESTABLISH CRITERIA FOR STANDARDIZATION
12 OF INCREASED PRODUCTION AND PRODUCT TYPES UNDER THE DEVEL-
13 OPMENT OF THE NEW AND ADDITIONAL PRODUCT USES;

14 (iv) COORDINATE THE TRANSPORTATION, PROCESSING
15 AND SALE OF WYOMING AGRICULTURAL PRODUCTS, EMPHASIZING THE
16 PROFITABILITY OF THE PRIMARY PRODUCER;

17 (v) ESTABLISH COOPERATION WITH STATES SUR-
18 ROUNDING WYOMING IN DEVELOPING PROMOTION OF WYOMING AGRI-
19 CULTURAL PRODUCTS IN CONJUNCTION WITH RELATED PRODUCTS AND
20 PRODUCT TYPES PRODUCED IN THESE STATES;

21 (vi) COOPERATE WITH THE WYOMING ECONOMIC
22 DEVELOPMENT AND STABILIZATION BOARD IN THE DEVELOPMENT AND

1 EXPANSION OF NEW AND EXISTING MARKETS AND IN THE DEVELOP-
2 MENT OF NEW AND ADDITIONAL USES OF WYOMING AGRICULTURAL
3 PRODUCTS;

4 (vii) PREPARE EXHIBITS OF WYOMING RESOURCES
5 AND AGRICULTURAL PRODUCTS FOR DISPLAY AND USE AT RELEVANT
6 REGIONAL, NATIONAL AND FOREIGN EXPOSITIONS, EVENTS AND
7 ACTIVITIES;

8 (viii) PROMULGATE RULES AND REGULATIONS NECES-
9 SARY TO IMPLEMENT DUTIES PRESCRIBED BY THIS SUBSECTION,
10 SUBJECT TO APPROVAL BY THE COMMISSIONER.

11 ~~(e)~~ (d) The commissioner, acting under the direction
12 of the board in collecting information necessary to the
13 ~~performance--of--his~~ PERFORM duties OF THE DEPARTMENT AND
14 ITS DIVISIONS, may ~~call-upon-the-several~~ REQUEST INFORMA-
15 TION FROM ANY AGENCY OF THE state, A county, city, town,
16 ~~precinct-and-school-district-officers-and-the-officers--of~~
17 ~~the--several--state--institutions--of--learning,--penal--and~~
18 ~~other-state-institutions-for-such-information-as--required~~
19 ~~to--properly--set-forth-the-resources-of-the-state-and-the~~
20 ~~development-thereof.--All-such-officers~~ OR OTHER POLITICAL
21 SUBDIVISION. AN AGENCY shall furnish such information upon
22 written request of the commissioner. Each AN owner, opera-
23 tor or manager of any manufacturing, mining or other busi-

1 ness establishment operating in this state, or other per-
2 son having information necessary ~~for-carrying~~ TO CARRY out
3 the purposes of this act, shall, upon request of the com-
4 missioner, furnish the information upon forms supplied by
5 the board.

6 (e) FOR PURPOSES CONSISTENT WITH DUTIES IMPOSED BY
7 LAW AND RULE AND REGULATION OF THE BOARD, THE COMMISSIONER
8 MAY ACCEPT GRANTS FROM PRIVATE OR PUBLIC AGENCIES, ORGANI-
9 ZATIONS OR OTHER PERSONS.

10 11-2-203. Division directors; employment of person-
11 nel. The-commissioner-shall-appoint,-with-the-approval--of
12 the--board,--necessary-deputies-chosen-because-of-peculiar
13 fitness-due-to-special-training-and--experience.--Deputies
14 shall--hold-their-respective-offices-on-merit-alone,-unaf-
15 ected-by-a-change--in--state--administration--or--in--the
16 office--of--commissioner. THE DIRECTOR FOR EACH DIVISION
17 ESTABLISHED UNDER W.S. 11-2-101 SHALL BE THE ADMINISTRA-
18 TIVE AND EXECUTIVE HEAD OF THE RESPECTIVE DIVISION AND IS
19 RESPONSIBLE TO AND UNDER THE CONTROL AND SUPERVISION OF
20 THE COMMISSIONER. THE COMMISSIONER WITH THE ADVICE OF
21 EACH DIRECTOR, MAY EMPLOY PROFESSIONAL, TECHNICAL AND
22 OTHER PERSONNEL AS NECESSARY TO PERFORM DUTIES PRESCRIBED
23 BY LAW AND RULE AND REGULATION OF THE BOARD.

1 11-2-204. Services of persons in employ of univer-
2 sity; reimbursement; applicability of provisions.

3 (a) In ~~the--branches--of-agriculture-requiring~~ PER-
4 FORMING DUTIES IMPOSED BY LAW WHICH REQUIRE technical
5 scientific training, the commissioner ~~shall-choose-his~~
6 ~~deputies-from-among-the~~ MAY REQUEST THE SERVICES OF quali-
7 fied members of the University OF WYOMING faculty, resi-
8 dent or extension. ~~These-deputies~~ FACULTY MEMBERS shall
9 serve without additional compensation but the university
10 DEPARTMENT shall ~~be---reimbursed---by~~ REIMBURSE the
11 ~~department~~ UNIVERSITY OF WYOMING for fifty percent (50%)
12 of the salary paid by the university ~~to-the-deputy~~ while
13 ~~he~~ THE FACULTY MEMBER is actually ~~employed--by~~ PERFORMING
14 SERVICES FOR the commissioner. The ~~appointment~~ USE of fac-
15 ulty members and the proportion and distribution of their
16 time shall be determined by agreement between the commis-
17 sioner and the president of the university AND THE FACULTY
18 MEMBER SHALL BE EMPLOYED BY THE DEPARTMENT WHEN PERFORMING
19 DUTIES FOR THE COMMISSIONER UNDER THIS SECTION.

20 (b) This section applies to ~~the-branches-of~~ horti-
21 culture, agriculture, poultry, dairying, food, oils,
22 seeds, marketing farm crops and ~~such~~ ANY other ~~branches-as~~
23 ~~in--the--judgment--of~~ DUTIES IMPOSED UPON THE DEPARTMENT

1 WHICH the commissioner and the board ~~can--thus--be--most~~
2 DETERMINE TO BE MORE efficiently and economically adminis-
3 tered BY USE OF UNIVERSITY FACULTY MEMBERS. This section
4 does not apply to any branch of agriculture otherwise spe-
5 cifically provided for by law.

6 Section 2. W.S. 11-2-205 is repealed.

7 Section 3. Notwithstanding W.S. 9-2-1005(h), three
8 hundred fifty thousand dollars (\$350,000.00) is appropri-
9 ated from the general fund to the department of agricul-
10 ture for the addition of four (4) full-time positions
11 within the department to implement the provisions of this
12 act. One (1) of the four (4) full-time positions autho-
13 rized under this section shall be responsible for foreign
14 exportation of Wyoming agriculture and shall perform all
15 or part of his duties from locations in countries other
16 than the United States.

17 Section 4. This act is effective July 1, 1987.

18 (END)

FISCAL NOTE

<u>Anticipated REVENUE to:</u>	<u>FY 19</u>	<u>FY 19</u>	<u>FY 19</u>
_____	_____	_____	_____
_____	_____	_____	_____
TOTAL ESTIMATED REVENUE	_____	_____	_____

=====

<u>Anticipated COST to:</u>	<u>FY 1988</u>	<u>FY 19</u>	<u>FY 19</u>
General Fund	\$350,000.00		
TOTAL ESTIMATED COST	\$350,000.00		

=====

This bill provides for an appropriation of \$350,000 from the General Fund for the addition of four full-time employees.

THE LEGISLATURE OF THE STATE OF WYOMING

House of Representatives

Cheyenne, January 27 , 19 87

Mr. Speaker:

Your Committee No. 5 on AGRICULTURE
 to whom was referred HB No. 0295
 respectfully reports same back to the House with the recommendation that HB 0295

DO PASS with the following amendments:

See attached Schedule A

Ayes

Dickey
 Grant
 Hageman
 Humphrey
 O'Toole
 Wolfley
 Simons

Noes

Behrens
 Hines

Excused

0

Absent

0

MARLENE J. SIMONS

Chairman

SCHEDULE A

- 1
- 2 HB0295/
- 3 Page 1-line 4 Delete "regulation" insert "standards";
- 4 delete "agricultural"; delete "development"
- 5 insert "promotion".
- 6 Page 2-line 7 Strike "a-board-of-agriculture".
- 7 Page 2-line 8 Strike "acting-through".
- 8 Page 2-line 9 Before "." insert "WITH THE SUPERVISION OF
- 9 THE BOARD OF AGRICULTURE".
- 10 Page 2-line 10 Delete "REGULATION" insert "STANDARDS".
- 11 Page 2-line 11 Delete "AGRICULTURE"; delete "DEVELOPMENT"
- 12 insert "PROMOTION".
- 13 Page 2-line 20 Delete "DIRECTION" insert "SUPERVISION".
- 14 Page 3-line 6 After second "," insert "LIVESTOCK,".
- 15 Page 3-line 8 After "NEW" insert "VALUE-ADDED
- 16 AGRI-BUSINESS"; delete "ADDITIONAL".
- 17 Page 4-line 4 Delete "." reinsert stricken "7".
- 18 Page 4-After line 4 Insert:
- 19 "(viii) PROMULGATE NECESSARY RULES AND REGULA-
- 20 TIONS TO IMPLEMENT W.S. 11-2-202".
- 21 Page 4-line 5 Delete "REGULATION" insert "STANDARDS".
- 22 Page 4-line 14 After "PRODUCTS" insert " FACILITIES AND
- 23 EQUIPMENT".
- 24 Page 4-line 15 Delete "OF THE BOARD".
- 25 Page 5-line 6 Delete "TITLE" insert "TITLES"; after "11"
- 26 insert ", 35 and 40".
- 27 Page 5-line 11 Delete "STATE" insert "AGRICULTURAL";
- 28 delete "ATTAINING" insert "IMPROVING".
- 29 Page 5-line 13 After "(vii)" delete balance of line.
- 30 Page 5-line 14 Delete through second "TO"; after "PERFORM"
- 31 insert "OTHER".
- 32 Page 5-line 17 Delete "AGRICULTURAL"; after "AND" insert
- 33 "PROMOTION".
- 34 Page 5-line 18 Delete "DEVELOPMENT".
- 35 Page 5-line 19 Delete second "AND".
- 36 Page 5-line 21 After "PRODUCTS" insert "AND TO PROTECT THE

1 AGRICULTURAL RESOURCE BASE".

2 Page 6-line 5 Delete "COORDINATE EFFORTS OF" insert "WORK
3 WITH".

4 Page 7-line 1 Delete "MARKETS" insert "PROCESSING
5 FACILITIES".

6 Page 7-line 8 After "viii" delete balance of line.

7 Page 7-lines 9 and 10 Delete and insert "ENGAGE IN OTHER
8 ACTIVITIES NECESSARY TO IMPLEMENT THE PUR-
9 POSSES OF W.S. 11-2-202.".

10 Page 10-line 7 Delete "Notwithstanding W.S. 9-2-1005(h),".

11 Page 10-line 10 After "ture" delete balance of line.

12 Page 10-line 11 Delete "within the department".

13 Page 10-line 12 After "." delete balance of line.

14 Page 10-line 13 Delete "rized under this section" insert
15 "The governor is urged to use his authority
16 under W.S. 9-2-1005(h) to find four (4)
17 full-time positions to transfer to the
18 department's marketing division. One (1) of
19 the four (4) positions".

20 Page 10-line 14 Delete "shall" insert "may".

THE LEGISLATURE OF THE STATE OF WYOMING

House of Representatives

HB 0295 HS 2/

Cheyenne, January 30, 19 87.

Mr. Speaker:

Your Committee No. 2 on APPROPRIATIONS

to whom was referred H.B. No. 0295

respectfully reports same back to the House with the recommendation that HB 0295

DO PASS with the following amendments:

Page 10, line 7 Delete "three".

Page 10, line 8 Delete through "\$350,000.00" and insert
"two hundred twenty-five thousand dollars
(\$225,000.00)".

Page 10, line 10 After "ture" insert "."; delete balance of line.


Page 10, lines 11-16 Delete entirely.

AYESThomas
Geringer
Ratliff
Chamberlain
Arnold
Zumbrunnen
WallisNOES

0

EXCUSED

0


 DICK WALLIS

Chairman

- 1 ✓ HB0295HS1/A
- 2 ✓ Page 1-line 4 Delete "regulation" insert "standards";
3 delete "agricultural"; delete "development"
4 insert "promotion".
- 5 ✓ Page 2-line 7 Strike "a-board-of-agriculture".
- 6 ✓ Page 2-line 8 Strike "acting-through".
- 7 ✓ Page 2-line 9 Before "." insert "WITH THE ^{advice} SUPERVISION OF
8 THE BOARD OF AGRICULTURE".
- 9 ✓ Page 2-line 10 Delete "REGULATION" insert "STANDARDS".
- 10 ✓ Page 2-line 11 Delete "AGRICULTURE"; delete "DEVELOPMENT"
11 insert "PROMOTION".
- 12 ✓ Page 2-line 20 Delete "DIRECTION" insert ^{advice} "SUPERVISION".
- 13 ✓ Page 3-line 6 After second "," insert "LIVESTOCK₁".
- 14 ✓ Page 3-line 8 After "NEW" insert "VALUE-ADDED
15 AGRI-BUSINESS"; delete "ADDITIONAL".
- 16 ✓ Page 4-line 4 Delete "." reinsert stricken "7".
- 17 ✓ Page 4-After line 4 Insert:
- 18 ✓ "(viii) PROMULGATE NECESSARY RULES AND REGULA-
19 TIONS TO IMPLEMENT W.S. 11-2-202".
- 20 ✓ Page 4-line 5 Delete "REGULATION" insert "STANDARDS".
- 21 ✓ Page 4-line 14 After "PRODUCTS" insert "₁ FACILITIES AND
22 EQUIPMENT".
- 23 ✓ Page 4-line 15 Delete "OF THE BOARD".
- 24 ✓ Page 5-line 6 Delete "TITLE" insert "TITLES", after "11"
25 insert ", 35 and 40" ^{← copy DW}
- 26 ✓ Page 5-line 11 Delete "STATE" insert "AGRICULTURAL";
27 delete "ATTAINING" insert "IMPROVING".
- 28 ✓ Page 5-line 13 After "(vii)" delete balance of line.
- 29 ✓ Page 5-line 14 Delete through second "TO"; after "PERFORM"
30 insert "OTHER".
- 31 ✓ Page 5-line 17 Delete "AGRICULTURAL"; after "AND" insert
32 "PROMOTION".
- 33 ✓ Page 5-line 18 Delete "DEVELOPMENT".
- 34 ✓ Page 5-line 19 Delete second "AND".
- 35 ✓ Page 5-line 21 After "PRODUCTS" insert "AND TO PROTECT THE
36 AGRICULTURAL RESOURCE BASE".

- 1 ✓ Page 6-line 5 Delete "COORDINATE EFFORTS OF" insert "WORK
- 2 WITH".
- 3 ✓ Page 7-line 1 Delete "MARKETS" insert "PROCESSING
- 4 FACILITIES".
- 5 ✓ Page 7-line 8 After "(viii)" delete balance of line.
- 6 ✓ Page 7-lines 9 and 10 Delete and insert "ENGAGE IN OTHER
- 7 ACTIVITIES NECESSARY TO IMPLEMENT THE PUR-
- 8 POSES OF W.S. 11-2-202."
- 9 ✓ Page 10-line 7 Delete "Notwithstanding W.S. 9-2-1005(h),".
- 10 ✓ Page 10-line 10 After "ture" delete balance of line.
- 11 ✓ Page 10-line 11 Delete "within the department".
- 12 ✓ Page 10-line 12 After "." delete balance of line.
- 13 ✓ Page 10-line 13 Delete "rized under this section" insert
- 14 "The governor is urged to use his authority
- 15 under W.S. 9-2-1005(h) to find four (4)
- 16 full-time positions to transfer to the
- 17 department's marketing division. One (1) of
- 18 the four (4) positions".
- 19 ✓ Page 10-line 14 Delete "shall" insert "may". SIMONS,
- 20 CHAIRMAN

HB295
HS2/A

DP

Adopted

- 1 HB0295HS2/A
- 2 ✓ Page 10-line 7 Delete "three".
- 3 ✓ Page 10-line 8 Delete through "(\$350,000.00)" and insert
- 4 "two hundred twenty-five thousand dollars
- 5 (\$225,000.00)".
- 6 ✓ Page 10-line 10 After "ture" insert "."; delete balance of
- 7 line including the first standing committee
- 8 amendment (HB0295HS1/A) to this line.
- 9 ✓ Page 10-lines 11 through 16 Delete entirely including the
- 10 first standing committee amendment
- 11 (HB0295HS1/A) to these lines. WALLIS,
- 12 CHAIRMAN

Adopted

(cont.)

- 1 ✓ HB0295H21/A
 - 2 ✓ Page 2-line 9
 - 3
 - 4 In the House standing committee amendment
(HB0295HS1/A) to this line delete
"SUPERVISION" insert "ADVICE".
 - 5 ✓ Page 2-line 20
 - 6
 - 7 In the House standing committee amendment
(HB0295HS1/A) to this line delete
"SUPERVISION" insert "ADVICE".
 - 8 ✓ ✓ Page 7-line 11
 - 9 ✓ ✓ Page 7-line 12
 - 10 ✓ Page 8-line 7
- Strike "~~7-acting-under-the-direction~~".
- Strike "~~of-the-board~~".
- Delete "OF THE BOARD". O'TOOLE, SIMONS *SW*

Deleted by
HB 0295 SS2/AE

X HB0295SS1/AE

TO ENGROSSED COPY

Page 10-line 12

Before "." insert "to implement the provisions of this act"; after "." insert "The governor is authorized to use his authority under W.S. 9-2-1005(h) to find four (4) full time positions to transfer to the department's marketing division.".

X Page 10-line 13

After first "." delete balance of line and insert "This act is effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.".
-LARSON

X HB0295SS2/AE

TO ENGROSSED COPY

X Page 10-line 10

Delete "Two hundred twenty-five thousand dollars" insert "Two hundred seventy-two thousand nine hundred sixty dollars (\$272,960.00)".

X Page 10-line 11

Delete "(\$225,000.00)".

X Page 10-line 12

Delete standing committee no. 5 amendment (HB0295SS1/AE) to this line and further amend: after "agriculture" insert "to implement the provisions of this act"; after "." insert "The governor is authorized to use his authority under W.S. 9-2-1005(h) to find two (2) full time positions to transfer to the department's marketing division." -STROOCK

X HB0295SW1/AE

TO ENGROSSED COPY

X Page 2-After line 13 insert:

EXPEND

"(c) THE DEPARTMENT IS AUTHORIZED TO ACCEPT, ADMINISTER, AND EXPAND AGRICULTURAL COMMODITY PROMOTION, RESEARCH, AND ADVERTISING ASSESSMENTS." -EDDINS

corrected
by
HB 0295331/AE

X HB0295SW2/AE

TO ENGROSSED COPY

X Page 3-lines 18 through 22 Strike and delete entirely.

X Page 4-lines 1 and 2 Strike entirely and renumber subsequent paragraphs accordingly. -ZIMMER

X HB0295S31/AE

TO ENGROSSED COPY

X Page 2-After line 13 In the Eddins committee of the whole amendment (HB0295SW1/AE) in subsection "(c)" delete "EXPAND" insert "EXPEND".
-EDDINS