

**ALASKA STATE LEGISLATURE  
HOUSE RESOURCES STANDING COMMITTEE**

April 10, 2002

1:10 p.m.

**MEMBERS PRESENT**

Representative Beverly Masek, Co-Chair  
Representative Drew Scalzi, Co-Chair  
Representative Mike Chenault  
Representative Lesil McGuire  
Representative Gary Stevens  
Representative Beth Kerttula

**MEMBERS ABSENT**

Representative Hugh Fate, Vice Chair  
Representative Joe Green  
Representative Mary Kapsner

**COMMITTEE CALENDAR**

HOUSE BILL NO. 432

"An Act relating to the labeling of animal and poultry feeds and to the agriculture program coordinator; and providing for an effective date."

- MOVED CSHB 432(RES) OUT OF COMMITTEE

**PREVIOUS ACTION**

BILL: HB 432

SHORT TITLE: AGRICULT. PROG.COORDINATOR/ANIMAL FEED

SPONSOR(S): REPRESENTATIVE(S) HARRIS

Jrn-Date	Jrn-Page		Action
02/15/02	2285	(H)	READ THE FIRST TIME - REFERRALS
02/15/02	2285	(H)	RES, FIN
04/03/02		(H)	RES AT 1:00 PM CAPITOL 124
04/03/02		(H)	Heard & Held
04/03/02		(H)	MINUTE(RES)
04/10/02		(H)	RES AT 1:00 PM CAPITOL 124

**WITNESS REGISTER**

PETER FELLMAN, Staff

to Representative John Harris  
Alaska State Legislature  
Capitol Building, Room 513  
Juneau, Alaska 99801

POSITION STATEMENT: Explained changes in CSHB 432, Version J,  
on behalf of Representative Harris, sponsor.

ROBERT WELLS, Director  
Division of Agriculture  
Department of Natural Resources (DNR)  
1800 Glenn Highway, Suite 12  
Palmer, Alaska 99645-6736

POSITION STATEMENT: Answered questions on CSHB 432, Version J,  
and the new position proposed in the fiscal note.

### **ACTION NARRATIVE**

TAPE 02-28, SIDE A  
Number 0001

CO-CHAIR BEVERLY MASEK called the House Resources Standing  
Committee meeting to order at 1:10 p.m. Representatives Masek,  
Scalzi, McGuire, Chenault, Stevens, and Kerttula were present at  
the call to order.

### HB 432-AGRICULT. PROG.COORDINATOR/ANIMAL FEED

CO-CHAIR MASEK announced that the committee would hear HOUSE  
BILL NO. 432, "An Act relating to the labeling of animal and  
poultry feeds and to the agriculture program coordinator; and  
providing for an effective date."

CO-CHAIR MASEK noted that public testimony had been concluded  
the previous week and that members should have copies of the  
additional written testimony received. As requested, she said,  
the sponsor had made some minor changes to the bill, contained  
in the new proposed committee substitute (CS).

Number 0173

REPRESENTATIVE STEVENS moved to adopt version 22-LS1428\J, Cook,  
4/4/02, as a work draft. There being no objection, Version J  
was before the committee.

Number 0191

PETER FELLMAN, Staff to Representative John Harris, Alaska State Legislature, explained Version J on behalf of Representative Harris, sponsor of HB 432. He noted that at the conclusion of the previous hearing, Representative Green had expressed concern about putting in the bill the "organic" language that had been brought up during testimony. [Version J] therefore reflects that change, putting [the state] in line with the federal "organic" language that will come online in October. Changes are on page 1 in the title, and on page 2, line 3. Mr. Fellman indicated the rest of the bill is the same as before.

Number 0356

REPRESENTATIVE KERTTULA inquired about page 2, lines 29-30, Section 7, which says this doesn't apply to meat, fish, or poultry.

MR. FELLMAN noted that it was a recommendation from the Division of Agriculture. He deferred to Rob Wells.

Number 0430

ROBERT WELLS, Director, Division of Agriculture, Department of Natural Resources (DNR), responded via teleconference that current law puts the responsibility for meat, fish, and poultry in the Department in Environmental Conservation, and so DNR is basically just addressing "terrestrial agriculture." He specified that the changes bring [DNR] into consistency with the national organic program, which goes into effect in mid-October.

Number 0496

CO-CHAIR SCALZI, acknowledging the new fiscal note, asked about the "Agronomist [II program manager position]" referenced in the fiscal note analysis.

MR. WELLS answered that the Agronomist II classification was chosen because the job title, as seen in the bill, includes three major responsibilities: 1) eradicate and control and spread of noxious weeds and invasive plant species; 2) certify inspection reports for organic foods; and 3) enforce requirements that are already on the books for labeling animal and poultry feeds. He offered his opinion that the majority of the position's time will be spent on the "noxious and invasive weeds" section; thus there is the need to go to the agronomist series. The person will also have experience and scientific abilities to review inspection reports that will come under the

responsibilities for the organic certification program. He said perhaps only an Agronomist I would be needed, but that the Agronomist II was proposed, to be on the safe side, because of the experience needed for the "noxious and invasive pests" area. In response to a question about what would be entailed statewide with regard to labeling of animal and poultry feeds, he said:

We get a number of requests from manufacturers of different products as to how they can operate within the state, given our existing ... laws. Currently, we're only aware of three animal [and] poultry feed producers, although we do get requests sometimes from dog-food manufacturers also. One of those is located in the Delta Junction area, and the other two here in Southcentral.

Because of the concern in recent years regarding feed rations, mostly given to ... dairy herds and cattle herds with regard to meats and bone meal, the federal government has really stepped up its efforts to make sure the states are monitoring plants that have rendering facilities and plants that do manufacture feed that, frankly, should not go into a dairy or a bovine diet.

MR. WELLS reported that there is only one active renderer in the state, in Southcentral. The expectation is that this [Agronomist II] position would just ensure that the labeling requirements are [met correctly] with regard to the feed sources, including some annual checking and making sure there is no intermixing of rendered products and dairy [feed] rations. He surmised that although no one of the three responsibilities is a full-time job, the three together will keep the person in this new position quite busy.

Number 0920

CO-CHAIR SCALZI asked whether this new position would be a necessity, then, and couldn't be filled by any other existing department.

MR. WELLS answered:

It's our opinion that these functions are appropriately housed within the Division of Agriculture. With regard to the "organic" and the feed labeling, the statutes are already within our

responsibilities. Frankly, we have not been able to accomplish those duties because of the lack of staff. Our inspection staff currently consists of three other employees. We do a variety of inspection functions, everything from shell/egg inspection to inspection of elk fences, not to mention the standard terminal market fruit-and-vegetable inspection. So, in my opinion, these duties are well suited for the Division of Agriculture, and we do not have the resources now to perform these functions.

Number 1026

REPRESENTATIVE STEVENS asked how people would apply for the certification of organic foods proposed in Version J.

MR. WELLS replied:

I've become fairly familiar with the new federal rule over recent years. First of all, if any producer ... grosses on their farm less than \$5,000 worth of product, they will not be required to be certified. They can use the USDA [U.S. Department of Agriculture] organic seal on their produce, but they need to be prepared, if someone were to challenge them on their production techniques, that they could prove that they are in compliance. So there is no cost or no certification to that individual.

For those individuals that gross more than \$5,000 of farm product, then they will need to hire an inspector who will come to their farm and basically do an audit - a paper audit and a review - of their growing practices. And we don't see ourselves in that role. There are a number of private inspector companies, one, in particular, that the Alaska Organic Association has been utilizing in recent years. But after that inspection report ... is complete, it needs to go to a certifying agent. And that's the role that the Division of Agriculture would play. We would be the certifying agent, and that authority is given to us through application to the United States Department of Agriculture.

I believe there was reference to the organic portion of this legislation in the original bill. However, we didn't clean up and come into consistency with the

federal rule in a couple of cases, and so that's the nature of this amendment.

CO-CHAIR MASEK asked whether there were any questions; none were offered. She noted that public comment was closed.

Number 1339

REPRESENTATIVE McGUIRE moved to report CSHB 432 [version 22-LS1428\J, Cook, 4/4/02] out of committee with individual recommendations and the accompanying fiscal note. There being no objection, CSHB 432(RES) was moved out of the House Resources Standing Committee.

**ADJOURNMENT**

There being no further business before the committee, the House Resources Standing Committee meeting was adjourned at 1:27 p.m.