

**WILLIAM J. CARSON, Jr.**  
STATE REPRESENTATIVE  
28<sup>th</sup> District



HOUSE OF REPRESENTATIVES  
STATE OF DELAWARE  
411 LEGISLATIVE AVENUE  
DOVER, DELAWARE 19901

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**Agriculture Committee Meeting Minutes**  
4.26.17

Chair Carson called the meeting to order at 3:01 p.m. Members present included Reps. Collins, Outten, and Wilson. For a list of guests present, please see the attendance list below.

Chair Carson introduced **SB 21, AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO AGRICULTURE**. Rep. Carson stated that this bill vests the authority for regulating seed in Delaware with the Delaware Department of Agriculture and repeals and inconsistent act or parts of acts. He asked if committee members had any questions and seeing none, opened the floor to public comment.

President Kitty Holtz of the Delaware Farm Bureau (DEFB) indicated that DEFB supported SB 21. She stated that the bill would allow farmers to take advantage of technological advances and that the Department of Agriculture has the knowledge to regulate seeds.

Government Affairs Manager Jason Gonzalez of DuPont stated that DuPont supports this bill.

A motion was made by Rep. Wilson and seconded by Rep. Outten to release SB 21 from committee; Motion carried. Yes=4 (Chair Carson, Reps. Collins, Outten, Wilson); No=0; Absent=9 (Vice Chair Q. Johnson, Reps. Bennett, Bentz, Kenton, Lynn, Mulrooney, Paradee, Postles, Yearick). SB 21 was later reported out of committee with an F=4, M=4, U=0 vote.

Chair Carson next introduced **SB 36, AN ACT TO AMEND TITLE 3 OF THE DELAWARE CODE RELATING TO STRAY LIVESTOCK**. Rep. Carson stated that this Act more effectively and efficiently clarifies the enforcement authority of the Department of Agriculture regarding livestock at large. The offenses will now be civil penalties rather than criminal fines, expenses for impoundment will be reimbursed by the violator, and other sources of media can be used to give public notice of impoundment or sale of any livestock at large. This Act intends to penalize repeat offenders that knowingly let their livestock run at large.

Rep. Collins asked if a particular event caused the need for the bill.

Secretary Michael T. Scuse of the Department of Agriculture responded that the number of complaints of stray livestock had increased in the last year. He added that a civil penalty is more just than issuing a criminal fine for these offenses and that the burden of capturing and maintaining the stray livestock would be the burden of the livestock's owner and not the taxpayer. Secretary Scuse reasoned that owners would not face penalties if the livestock escaped accidentally and not as a result of the owner's negligence.

Chair Carson asked if there were additional questions from committee members and seeing none, opened the floor to public comment.

President Holtz indicated that the DEFB supported SB 36.

A motion was made by Rep. Collins and seconded by Rep. Wilson to release SB 36 from committee; Motion carried. Yes=4 (Chair Carson, Reps. Collins, Outten, Wilson); No=0; Absent=9 (Vice Chair Q. Johnson, Reps. Bennett, Bentz, Kenton, Lynn, Mulrooney, Paradee, Postles, Yearick). SB 36 was later reported out of committee with an F=4, M=4, U=0 vote.

Chair Carson adjourned the meeting at 3:07 p.m.

Respectfully submitted by:

Brandon Williams

**In attendance:**

Tara Sad (Council of State Governments-Eastern Regional Conference)  
Bob Haefner (Council of State Governments-Eastern Regional Conference)  
Alan B. Peoples, Sr. (Maple Shade Farm Paintball)  
Alan Peoples, Jr. (Maple Shade Farm Paintball)  
President, Kitty Holtz (Delaware Farm Bureau)  
Executive Director, Pam Bakerian (Delaware Farm Bureau)  
Vice President, Kimberly Gomes (Byrd Group)  
Government Affairs Manager, Jason Gonzalez (DuPont)  
Legislative Attorney, Deborah Gottschalk (Division of Research)  
Kerry Porter (House Democratic Caucus Attorney)  
Director, Patrick Emory (Office of Community Services, DNREC)