



January 14, 2009

MINUTES

Regular meeting, WDA Conference Room, Cheyenne, Wyoming

The meeting was called to order at 10:03 am by Vice-chairman Tim Anderson. Present were Tim Anderson, Theron Anderson and John Watson. The Chairman declared a quorum present with three of five members in attendance. Also present were Executive Director Keith Kennedy, Jason Fearneyhough, ex-officio member.

Theron Anderson moved, with John Watson's second, that the agenda be approved without change. Motion carried. John Watson moved, with Theron Anderson's second, that the minutes of the November 11, 2008 meeting be approved. Motion carried.

Chairman Madsen and member Fred Barton arrived at 10:10 am, with Madsen assuming the chair. It was moved by Theron Anderson, seconded by Tim Anderson, to approve the financial report. The items questioned in during the November meeting have been resolved. Motion carried.

The Chairman initiated discussion about the bill to allow the commission to raise assessment rates. Discussion centered around how much the issue of non-refundability be held onto, as the bill's sponsor took that portion repealing the refund provision out of the introduced bill. Other details were presented by Kennedy; he called the commission's attention to the quarterly reporting requirement by handlers, as opposed to the current statute, which obligates monthly reporting. Muff Parker added that would need to be accommodation for the processing of refunds, given passage of the bill in its current form.

Kennedy reported on the upcoming USWA meetings. Watson will be attending the new board member orientation. Visits with Senators Enzi and Barrasso are scheduled for 2:15 pm and 4:30 pm, respectively, on February 10. Kennedy will inform the attendees as to the final schedule, when he hears from a scheduler with Representative Lummis' office. Kennedy also reported on his visit with DowAgro Science in Indianapolis, Indiana, along with the Joint Biotech Committee. There are several exciting things happening at Dow, with Dow recently announcing its 'Dow Herbicide resistance Trait' or DHT. Among items discussed, Dow most questioned how a technology provider could receive reimbursement, given the diversity of

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state-based breeding programs. Kennedy also mentioned that crop agriculture in Wyoming should explore a stand-alone legal entity to hold PVP title, and assure reimbursement of licensing fees.

While lunch was ordered, the commission continued discussion of the current state of farm bill implementation, although as was pointed out, all were waiting to see the agenda of the new federal administration.

Kennard Nelson with the Attorney General's office then discussed the assessment situation with the commission, specifically, if the commission has any cause of action with handlers in Nebraska who collect both the Wyoming and Nebraska assessment. In summary, Nelson felt that nothing could be done, and that grower's should consider this among other economic factors that are considered when marketing decisions are made by growers. After further discussion, the commission felt that no further effort should be made regarding these double assessments, unless and until the situation changes in a manner for the commission to effect a change. In short, growers may seek a refund on the Wyoming portion, although the commission will still be paying assessments to USWA on those bushels, and indirectly through the Grower's Association dues being paid to NAWG.

University of Wyoming SAREC personnel, Jack Cecil and Jerry Nachtman, presented their annual report to the commission. No mention was made of the decreased payment made earlier this year, although the issue of Dr. Krall's health was posed. It is uncertain at this point when or if Dr. Krall will be returning to full duty. Yield plot results were presented to the commission, discussion ensued as to where these results can be found on the web. After further discussion about the trials planted in the fall of 2008, it was agreed that Kennedy will have the RFPs for 2009 prepared and sent out by March 1, 2009. UW, along with other vendors will be expected to reply by the mid-April meeting of the commission.

Watson moved, with Tim Anderson's second, to hold the next meeting on April 16, 2009 at 10:00 a.m., at the WDA Conference Room. Motion carried. Madsen declared the meeting adjourned at 3:14 p.m.



Signed, Casey Madsen, Chairman