Bill as Introduced

HB 52 – AS INTRODUCED

1999 SESSION

99-0020
08/09

HOUSE BILL ***52***

AN ACT exempting certain currants and gooseberries resistant to the white pine blister rust organism from restrictions on planting in control areas.

SPONSORS: Rep. Melcher, Hills 11; Rep. Owen, Merr 6; Sen. F. King, Dist 1

COMMITTEE: Environment and Agriculture

ANALYSIS

This bill exempts certain currants and gooseberries resistant to the white pine blister rust organism from planting restrictions.

Explanation: Matter added to current law appears in ***bold italics.***
Matter removed from current law appears [~~in brackets and struckthrough.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

99-0020
08/09

STATE OF NEW HAMPSHIRE

In the Year of Our Lord One Thousand Nine Hundred and Ninety-Nine

AN ACT exempting certain currants and gooseberries resistant to the white pine blister rust organism from restrictions on planting in control areas.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 New Paragraph; White Pine Blister Control Areas; Planting. Amend RSA 227-K:6 to read as follows:

227-K:6 Planting Currant or Gooseberry Bushes Within Control Area.

I. Except as provided in paragraph II, no person shall plant any currant or gooseberry bush within a control area without the permission of the director.

II. Those cultivars of currants, gooseberries, or other ribes crosses that have been determined to be resistant to the white pine blister rust organism by the agricultural experiment station or United States Department of Agriculture researchers may be planted within a control area.

2 Effective Date. This act shall take effect 60 days after its passage.

Speakers

SIGN UP SHEET

To Register Opinion If Not Speaking

Bill # 52 Date 2-2-99

Committee Environment & Agriculture

**** Please Print All Information ****

Name	Address	Phone	Representing	Pro (check one)	Con (check one)
Rep H. C. Dickinson			Cav #2		X

Hearing Minutes

HOUSE COMMITTEE ON ENVIRONMENT AND AGRICULTURE

PUBLIC HEARING ON HB 52

BILL TITLE: exempting certain currants and goosberries resistant to the white pine blister rust organism from restriction on planting in control areas.

DATE: February 2, 1999

LOB ROOM: 303 **Time Public Hearing Called to Order:** 11:30

Time Adjourned: 12:15

(please circle if present)

Committee Members: Reps. Musler Leishman, Messier, L. Pratt, McRae, Philbrick, Babson, Phinney, Marshall, Dunlap, Franks, Scanlan, Cobb, Harmon, B. Hall, Owen, Melcher, Meader, M. Ouellette, Phinizy, Shelton and Tuthill.

Bill Sponsors: Rep. Melcher, Hills 11; Rep. Owen, Merr 6; Sen. King, Dist 1

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

Rep. Owen, sponsor, agency bill for the Department
***Jennifer Bofinger**, oppose, Div. Of Forest and Lands, recognize importance of agriculture in NH – blister rust disease needs proper climate – rule already in place covers planting
Questions by the committee:
Babson, Phinizy, Marshall, Messier, Pratt
Eric Kingsley, oppose – NHTOA – cite RSA 227-K-6, opportunity out there for those who want to peruse these plantings
Questions by committee:
Hall: need for this bill? Ans: Div. Not standing in way, individual only need ask
Babson: number of requests in last 5 years? Ans: a handful of requests, one has been approved at Shaker Village
Messier, Phinizy
Brenda Clemons, support. NH Farm Bureau – number in fruit industry have interest in this

HOUSE COMMITTEE ON ENVIRONMENT AND AGRICULTURE

PUBLIC HEARING ON HB 52

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DATE: {Type HEARING DATE here}

LOB ROOM: 303 **Time Public Hearing Called to Order:** {Time} 11:30

Time Adjourned: {Time} 12:15

(please circle if present)

Committee Members: Reps. Musler, Leishman, Messier, L. Pratt, McRae, Philbrick, Babson, Phinney, Marshall, Franks, Scanlan, Cobb, Harmon, R. Hall, Owen, Melcher, Meader, M. Ouellette, Phinizy, Shelton and Tuthill.

Bill Sponsors: Rep. Melcher, Hills 11; Rep. Owen, Merr 6; Sen. King, Dist 1

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

Rep. Owen, sponsor, agency bill for the Department

~~Richard Bowles~~

* Jennifer Bofinger, oppose, Div of Forest and Lands, recognize importance of agriculture in NH - disease needs proper climate Blister Rust
Rule already in place covers planting

? by the committee
Babson
Phinizy
Marshall
Messier
Pratt

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HB 52 - 2-2-99

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Phinizy

Brenda Clemons, support, NH Farm Bureau - # in fruit industry have interest in this

Sub-Committee Actions

HOUSE COMMITTEE ON ENVIRONMENT AND AGRICULTURE

SUBCOMMITTEE WORK SESSION ON HB 52

BILL TITLE: exempting certain curants and goosberries resistnt ot the white pine blister rust organism from restrictions on planting in control areas.

DATE: March 3, 1999

Subcommittee Members: Reps. Owen, Marshall, Meader, Pratt

Comments and Recommendations:

Amendments:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Motions: OTP, OTP/A, ITL, Re-Refer, Interim Study (Please circle one.)

Moved by Rep. Owen

Seconded by Rep. Meader

Vote: 4-0

Motions: OTP, OTP/A, ITL, Re-Refer, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Respectfully submitted,

Rep. Kenneth R. Marshall
Subcommittee Chairman/Clerk

March 3, 1999

Sub-Comm on H.B. 52 - Currants & Gooseberries

Present - Derek Owen ✓ Karen McRae
Ken Marshall ✓ Dave Babson
Dave Meader ✓
Leighton Pratt ✓

Pratt needs more info

Meader wants more

Owen - wants a reason not to pass the Bill

/

Melchor – 1964 – Feds took control off the ban

- Farmers will use pesticides to keep the crop clean
- Bill Lord couldn't get permit

Knoplay – Explained his position

Bofinger – Forests & Lands – Why haven't permits been issued

Pratt: wants a certain distance between plants and white pine

Bofinger – support using resistant varieties
- distance won't make a difference
- never had a request from a commercial grower

Moved by Derek Owen to recommend to full committee to refer – 2nd by Meade

vote – Mead – yes
Pratt – yes
Owen – yes
Marshall – yes

HOUSE COMMITTEE ON ENVIRONMENT AND AGRICULTURE

SUBCOMMITTEE WORK SESSION ON {Type BILL NO.}

BILL TITLE: HB 52 - Gooseberries

DATE: {Type DATE} 9/9/99

Subcommittee Members: Reps. {Type NAMES} Owen, Meader, Pratt, McRae, Marshall

Comments and Recommendations:

Amendments:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Motions: OTP, OTP/A, ITL, Re-Refer, Interim Study (Please circle one.)

Moved by Rep. Owen

Seconded by Rep. Meader

Vote: 5-0

Motions: OTP, OTP/A, ITL, Re-Refer, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Respectfully submitted,

Rep. {Type NAME} McRae

Subcommittee Chairman/Clerk

HB 52 - Sub-Committee 9-9-99
Marshall, Meader, McRae, Owen, Pratt
* Raymond Boivin - Div. Forest & Lands
3 applications - 3 approvals
2 commercial - 1 private grower

Moved: ITL
1st Owen
2nd Meader

Recommendation to full committee that Div. of Forest & Lands issue an informative bulletin to Co-op Ext and Com's/Ag regarding ~~availability of~~ the process
Vote: 5 - 0
Owen yes
Meader yes
Pratt yes
McRae yes
Marshall yes

Sub-Committee Minutes

State of New Hampshire

HOUSE OF REPRESENTATIVES

CONCORD

TDD Access: Relay NH 1-800-735-2964

COMMITTEE ON ENVIRONMENT AND AGRICULTURE

MEMORANDUM

TO: **Re-Referred HB 52 and HB 310 Subcommittee Members**
Rep. Karen McRae
Rep. Leighton Pratt
Rep. David Meader
Rep. Derek Owen

FROM: **Rep. Kenneth R. Marshall, Subcommittee Chair**
169 North Main Street, Boxcawen, NH 03301-1106
(603) 753-4269

DATE: **September 1, 1999**

SUBJ: **Re-referred HB 52**, an act exempting certain currants and gooseberries resistant to the white pine blister rust organism from restrictions on planting in control areas.
Re-referred HB 310, an act repealing the authority of the department of agriculture, markets, and food to conduct meat inspections and poultry products inspections.

On Thursday, September 9, 1999 at 10:00 a.m. in Room 303 of the Legislative Office Building, I have scheduled a subcommittee work session on HB 52 and HB 310. Enclosed is a copy of HB52 and HB 310 for review.

Please do your best to attend this meeting so that we can dispose of these two re-referred bills. Should you have any questions, please do not hesitate to contact me.

KRM/laz
Enclosure
cc: Joel Anderson, Committee Researcher

HB 52 – AS INTRODUCED

1999 SESSION

99-0020
08/09

HOUSE BILL ***52***

AN ACT exempting certain currants and gooseberries resistant to the white pine blister rust organism from restrictions on planting in control areas.

SPONSORS: Rep. Melcher, Hills 11; Rep. Owen, Merr 6; Sen. F. King, Dist 1

COMMITTEE: Environment and Agriculture

ANALYSIS

This bill exempts certain currants and gooseberries resistant to the white pine blister rust organism from planting restrictions.

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HB 52 – AS INTRODUCED

99-0020
08/09

STATE OF NEW HAMPSHIRE

In the Year of Our Lord One Thousand Nine Hundred and Ninety-Nine

AN ACT exempting certain currants and gooseberries resistant to the white pine blister rust organism from restrictions on planting in control areas.

Be it Enacted by the Senate and House of Representatives in General Court convened:

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227-K:6 Planting Currant or Gooseberry Bushes Within Control Area.

I. ***Except as provided in paragraph II,*** no person shall plant any currant or gooseberry bush within a control area without the permission of the director.

II. Those cultivars of currants, gooseberries, or other ribes crosses that have been determined to be resistant to the white pine blister rust organism by the agricultural experiment station or United States Department of Agriculture researchers may be planted within a control area.

2 Effective Date. This act shall take effect 60 days after its passage.

HB 310 – AS INTRODUCED

1999 SESSION

99-0005
08/01

HOUSE BILL ***310***

AN ACT repealing the authority of the department of agriculture, markets, and food to conduct meat inspections and poultry products inspections.

SPONSORS: Rep. Melcher, Hills 11

COMMITTEE: Environment and Agriculture

ANALYSIS

This bill repeals the authority of the department of agriculture, markets, and food to conduct meat inspections and poultry products inspections.

. . . . . .

Explanation: Matter added to current law appears in ***bold italics.***
Matter removed from current law appears [~~in brackets and struckthrough.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

99-0005
08/01

STATE OF NEW HAMPSHIRE

In the Year of Our Lord One Thousand Nine Hundred and Ninety-Nine

AN ACT repealing the authority of the department of agriculture, markets, and food to conduct meat inspections and poultry products inspections.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 Poultry and Poultry Products; Applicability of Other Provisions; Definitions. Amend RSA 428:1 and 428:2 to read as follows:

428:1 Applicability of Other Provisions. The procedure for poultry inspection, as well as the rights and duties of those parties involved in such inspection, shall be substantially that prescribed by RSA [~~427~~] ***427:41***, provided that the applicability of said [~~chapter~~] ***section*** shall be subject to any contrary provision contained in this chapter.

428:2 Definitions. [~~As much as possible, all of the definitions in regard to procedures and rules for the buying, selling and handling of meat products, as provided under RSA 427:2, shall apply to the buying, selling and handling of poultry products under this subdivision. In addition, the following terms shall have the following meanings~~] ***In this chapter***:

I. The term "Federal Poultry Products Inspection Act" means the act so entitled, approved August 28, 1957 (71 Stat. 441), as amended by the Wholesome Poultry Products Act (82 Stat. 791).

II. The term "container" or "package" includes any box, can, tin, cloth, plastic, or other receptacle, wrapper, or cover.

III. The term "poultry" means any domesticated bird, whether alive or dead.

IV. [~~The term "shipping container" means any container used or intended for use in packaging the product packed in an immediate container~~] ***The term "commissioner" means the commissioner of agriculture, markets, and food.***

V. [~~The term "immediate container" includes any consumer package, or any other container in which poultry products, not consumer packaged, are packed~~] ***The term "intrastate commerce" means commerce within this state.***

[~~VI. The term "official establishment" means any establishment, as determined by the commissioner, at which inspection of slaughter of poultry or the processing of poultry products is maintained under the authority of this subdivision.~~]

2 Poultry; Intrastate Commercial Control. Amend RSA 428:4 to read as follows:

428:4 Intrastate Commercial Control. [~~In addition to the prohibitions provided by RSA 427:10,~~] No person, firm, or corporation shall with respect to poultry, meat or meat products of any such animals:

I. Sell, transport, offer for sale or transportation, or receive for transportation, in intrastate commerce, or from an official establishment, any slaughtered poultry from which the blood, feathers,

feet, head, or viscera have not been removed in accordance with rules adopted by the state veterinarian, except as may be authorized by rules of the commissioner.

II. Use to his or her own advantage, or reveal to other than authorized representatives of the state or any other government, in their official capacity, or as ordered by a court in any judicial proceeding, any information acquired under the authority of this subdivision concerning any matter which is entitled to protection as a trade secret.

3 Repeal. The following are repealed:

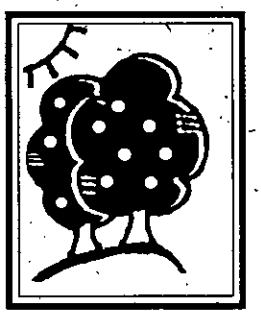
I. RSA 427:1 - 32, relative to meat inspection.

II. RSA 428:3, and 425:5 - 8, relative to poultry inspection.

4 Effective Date. This act shall take effect 60 days after its passage.

Testimony

HB52 2-2-99



Apple Hill Farm

To members of the House Agriculture and Environment Committee,

I am writing in support of HB52. Our farm is a small diversified farm with a focus on retail sales. I am convinced that the key to survival of our farm and indeed many farms in New Hampshire relies on offering something different. Like it our not often times are biggest competitors are the large supermarket chains. The do an incredible job of offering a wide selection of produce, and I hate to admit it but with increasing regularity produce of good quality. .At the risk of revealing our marketing strategy , our goal at Apple Hill Farm is to offer things that the supermarkets can't, at a quality and freshness they can only strive to match, and in a friendly personal atmosphere I know we can beat them at.

We are constantly looking for those items that meet our objectives. I have been interested in growing and offering currants for many years. We would love to able to offer both fresh currants to our customers, and include currant jelly in our line of all New Hampshire jams and jellies. As I indicated we are a diversified farm and forest products , specifically white pine saw logs from our sizable acreage of forestland are also an important source of income now and in the future. I am aware of the relationship between *Ribes* and White Pine Blister Rust, however I am confident that as a result of selective breeding there are several varieties or cultivars that are resistant to the White Pine Blister Rust organism, and would therefore not present a threat to our most important forest resource. I am confidant that the way that this bill is written, when and if such a list of resistant cultivars is developed by the competent entities listed I will be allowed to add currants to our crops with out danger to my forest land or my neighbors.

Please vote yes to pass this bill.

Thank You,

Chuck Souther

580 Mountain Road
Concord, NH 03301-1814
Tel: 603/224-8862

227-K:5 Entry on Land. The director or the director's authorized agents shall have the right to enter upon any public or private property to determine the presence of the fungus disease Cronartium ribicola commonly known as white pine blister rust in any of its stages, and to carry out the necessary eradication measures.

227-K:6 Planting Currant or Gooseberry Bushes Within Control Area. No person shall plant any currant or gooseberry bush within a control area without the permission of the director.

227-K:7 Diseased Plants, etc. Any currant or gooseberry bushes which are found to threaten any white pine trees with Cronartium ribicola are hereby declared to be a public pest, and any such plants may be destroyed by order of the director or the director's authorized agents.

227-K:8 Obligation of Towns. When, in the opinion of the director and the commissioner of agriculture, markets, and food a necessity exists requiring the destruction of currant and gooseberry bushes in any town, the director or the director's authorized agents may remove or destroy any currant and gooseberry bushes within such town and charge the expense to state appropriations made available for this purpose or in the event state appropriations are not made available or are insufficient for this purpose, charge said expenses to the town; provided, however, that no town shall be required to expend more than $400 in any one year for such control measures. If such order is not complied with, the governor and council may order such town to carry out any control measures specified by the director.

227-K:9 Expense. The expenses to the town provided for in RSA 227-K:8 for control measures shall be deemed to be a judgment against the town and the amount shall, without vote of the town, be paid by the selectmen.

227-K:10 Notice Required. Two weeks prior to removal or destruction of any currant or gooseberry bushes within any town by the director or the director's authorized agents, a written notice shall be given by the director to the selectmen of the town stating the date when, and the location where, operations for such removal or destruction will begin.

227-K:11 Damages for Destruction of Bushes or Trees. If within any designated control area, bushes or trees other than currants and gooseberries which threaten white pine trees with Cronartium ribicola are designated by the director or the director's agents and destroyed by the director or the director's agent's specific order, the owner may be compensated, the damages to be assessed by the director at not more than the actual value of the material destroyed, and paid to the owner by the state treasurer upon authorization of the commissioner.

227-K:12 Alternative. In lieu of money damages for any trees or bushes destroyed under RSA 227-K:11, the director may offer, and the owner may accept, forest planting stock to be furnished from the state forest nursery.

Jennifer Boffinger - HB52 - 2-2-99

February 2, 1999

Good morning Mr. Chairman and members of the committee. My name is Jennifer Bofinger and I am an entomologist with the Division of Forests and Lands. My responsibilities include the forest health monitoring and insect and disease programs. I am here to testify on behalf of the Division of Forests and Lands in support of the **purpose** of HB 52 but opposed to the bill itself.

The Division of Forests and Lands supports the **purpose** of the bill because we recognize the importance of agriculture as part of the working landscape of agriculture and forestry in the state. We do not think the bill is necessary because the purpose of the bill can be met under existing statute.

The Division of Forests and Lands is responsible for forest protection under RSA 227:K. This responsibility specifically includes protection of white pine from white pine blister rust in RSA 227-K: 5. Even though we are in favor of allowing the planting of Ribes species proven immune to white pine blister rust (WPBR), please realize this is a serious disease of white pine and the division will continue to carry out our charge under this statute.

The Division of Forests and Lands has taken responsibility to control this disease with strong laws authorizing our agency to enter onto any public or private property to carry out eradication of currants or gooseberries. In addition, the cost of removal of these plants can be charged to the town, up to $400.00. It is important that we do not compromise the states ability to remove currants or gooseberries planted without permission. Nor should we prevent the state from being able to eradicate permitted Ribes that show signs of blister rust disease. We feel very strongly about maintaining our ability to protect the white pine timber resource.

Eastern white pine has always been a highly valued tree species because of it's dominance in the forest landscape and it's useful wood properties. The latest forest inventory and analysis of NH reported 747,000 acres classified as white pine forest. The end value of this resource totals in the billions. We are concerned with anything that puts this resource at risk. Knowing this, it is easy to understand why for over 50 years, Ribes eradication programs have been a focus of forest protection efforts.

Without giving an in-depth lesson in pathology, I would like to relate some important information regarding white pine blister rust. White pine blister rust (WPBR) is a complex disease. It is a disease that does not move directly from host to like host (ex. Chestnut to chestnut). It requires an alternate host species, Ribes, to complete its life cycle. It must go from Ribes to white pine and then back to Ribes to survive.

WPBR has five spore forms, each with it's own purpose and vulnerabilities. The spores that infect white pine, only infect through the pine needles. Slowly, over years, the infection moves down the branch and into the stem. Once the white pine stem is infected there is no control for this disease.

Whether there are few or many Ribes plants around, the chance of white pine being infected has more to do with the local climate than the number plants. Local climate is the most influential factor in determining the incidence of infection in an area. The spores require warm moist air to survive and infect.

The Division of Forests and Lands urges strict adherence to scientific evidence when determining which currant or gooseberry varieties are allowed. Only varieties with proven, scientific immunity

should be approved. The immune Ribes plants that we are aware of carry a gene trait for this immunity. These varieties have been proven immune for over 50 years. With scientific proof, we are agreeable to other varieties being added to the list. However, we also must be able to remove varieties from the list that develop blister rust. We also realize that the gene for resistance may not be carried to the offspring of these plants. Therefore we urge the Ribes growing community to maintain their plants in a responsible manner.

The Director of the Division of Forests and Lands currently holds the authority under RSA 227-K:6 to permit the planting of any currant or gooseberry bush within the control area. Using this procedure already in place and in consultation and agreement with the commissioner of the Department of Agriculture, we will authorize the planting of proven immune Ribes species to those who request permission to plant. These individuals will then be registered as having immune plants. This registration will benefit both the grower and the state. In the event that the state resumes a Ribes eradication program, register plants will not be destroyed. It will also offer us more control in removal of infected plants if those species with immunity become diseased.

We feel that using the rules currently in place will present a more efficient means to accommodate those desiring to plant Ribes while not compromising the Division of Forests and Lands responsibility to protect the forests.

The success of the allowance of resistant Ribes depends on the knowledge and competence of growers to maintain a healthy population of Ribes; and for careful administration and monitoring by the state to ensure diseased Ribes are removed and the health of white pine is not put at risk. We feel this can successfully happen using the long established laws that have worked well protecting our state's forests.

There are attachments to this testimony for further explanation. Thank you for the opportunity to provide you with this testimony. I would be glad to answer any questions.

United States Department of Agriculture
Research, Education and Economics
Agricultural Research Service

January 26, 1999

Jennifer Bossinger
New Hampshire Department of Agriculture
Division of Plant Industry
Concord, N. H. 03301
FAX 603.271.2629

Dear Jennifer:

I am writing to document some of the points that we discussed during our phone call this morning. Thus far the following cultivars have been demonstrated to have immunity (by inoculation studies and through lack of natural infection at many locations throughout this country and in Europe) to white pine blister rust, *Cronartium ribicola* Fisch.:

Black Currants
Consort (Kerry x *R. ussuriense*) released in 1952 by A. W. S. Hunter, Ontario, Canada
Coronet (*R. ussuriense* x Kerry) released in 1948 by A. W. S. Hunter, Ontario, Canada
Crusader (*R. ussuriense* x Kerry) released in 1948 by A. W. S. Hunter, Ontario, Canada
Titania [Altajskaja Desertnaja x (Consort x Kajaanin Musta)] 1984 by P. Tamas of Sweden
Red Currant
Viking (*R. petraeum* x *R. rubrum*) released in the U.S. by G. Hahn in the early 1930's

You asked about a cultivar named 'Randall.' It occurred to me that you probably meant: 'Crandall,' which is a *Ribes odoratum* cultivar, selected in 1988. White pine blister rust uredia have not been observed on this cultivar through natural infection. We will be pursuing some artificial inoculation studies and genetic studies of these and other cultivaras.

I have enclosed some pertinent articles. I have also enclosed a fax that Mr. Brent Teillon, from the Vermont Department of Forest Parks and Recreation, sent me last October, regarding the changes in the Vermont regulations. Please contact me if you would like additional information. I will look forward with interest to hear out the New Hampshire deliberations progress concerning regulations restricting Ribes because of white pine blister rust.

Sincerely,

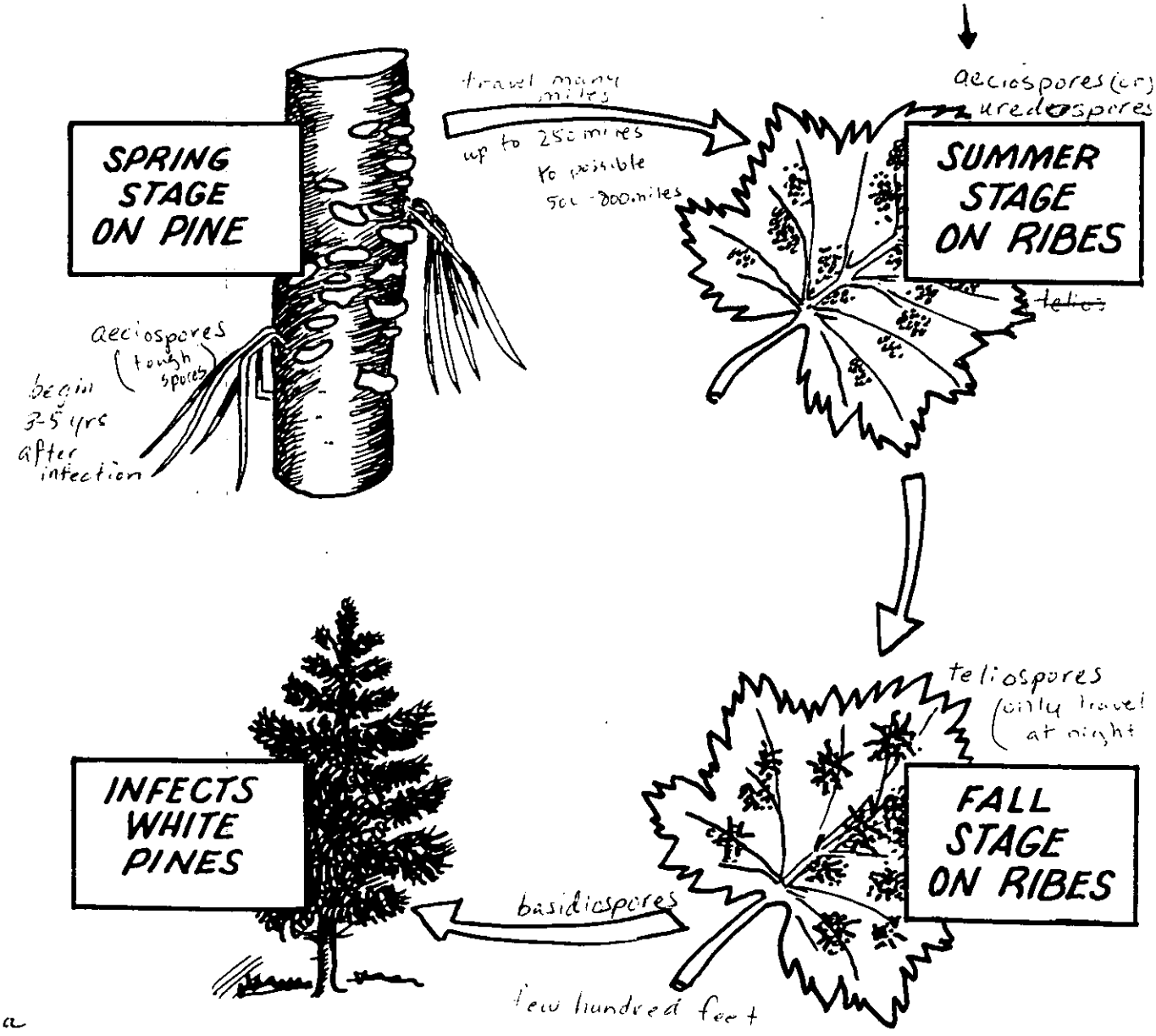
Kim E. Hummer
Research Leader/ Curator

enclosures

(16 pages to follow)

Pacific West Area – National Clonal Germplasm Repository
33447 Peoria Rd. • Corvallis, OR 97333-2521
Voice: 541.750.8712 x 101 • Fax: 541.750.8717 • E-mail: hummerk@bcc.orst.edu

HOW BLISTER RUST SPREADS



Spermatia
Aeciospores
Urediospores
Teliospores
Basidiospores

WHITE PINE BLISTER RUST, *CRONARTIUM RIBICOLA*, INFECTION INCIDENCE FOR SELECTED AREAS OF NEW HAMPSHIRE

by

Kyle Lombard and Jennifer Bofinger

DRAFT

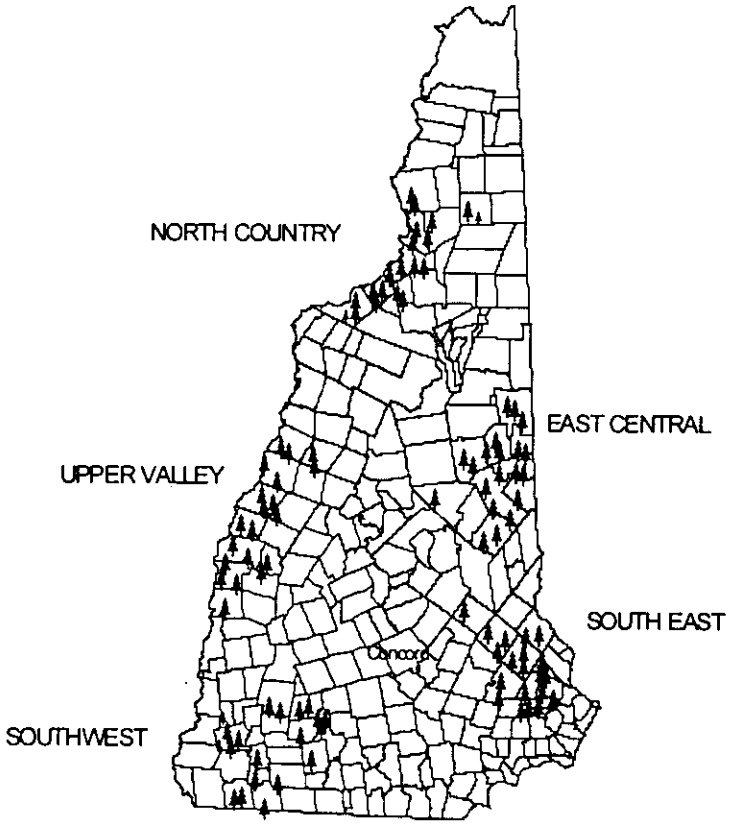
conducted last winter - Jan/Feb '98

NEW HAMPSHIRE DIVISION OF FORESTS AND LANDS
DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT

DRAFT

SURVEY METHODS

Five separate regions of New Hampshire were surveyed for the presence of white pine blister rust. Each separate survey region encompasses eight to twelve towns for a total of fifty towns surveyed. Survey areas consisted of the north country, upper valley, southwest, southeast, and east central zones of the state. In each of these regions approximately twenty sites were established and at each site five subplots of ten white pine trees were systematically sampled.



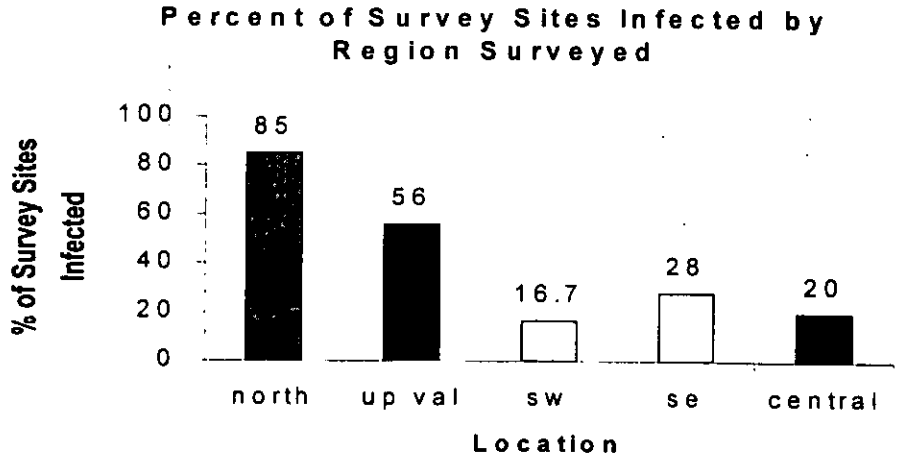
This method provided approximately 1000 white pine trees in each zone for analysis. Approximately equal amounts of seedling/saplings, poletimber, small sawlog, and large sawlog size tree were sampled within each zone. The sites were located randomly by driving roads which made transects through the zone. To qualify as an appropriate survey site the forest had to be more than 90% stocked with eastern white pine, larger than two acres, and show no signs of timber harvesting since the stand was established.

DRAFT

RESULTS

A total of 5195 white pine stems were examined for the occurrence of WPBR. Trees were located on 104 different sites grouped in 5 different regions of New Hampshire. 123 of the 5195 (2.4%) trees examined were identified as having at least one bole or branch canker of white pine blister rust.

Figure.1



The frequency of WPBR in each region was determined by calculating the percent of all sites visited with at least one infection. Figure 1. shows that the north region had the highest percentage of plots infected with WPBR. The southwest region of New Hampshire had the lowest percentage of diseased plots.

Table. 1

Percent Infection by Size Class for Each Region Surveyed

Region	*Seed/Sapling*	*Pole size*	*Small sawtimber*	*Large sawtimber*	*All size classes*
North	6.2	6.6	10.2	9.4	7.2
Upper Valley	2.7	2.6	2.4	3.6	2.7
Southwest	0.8	0.4	0.0	0.0	0.3
Southeast	2.3	0.6	0.8	1.8	1.2
Central	0.3	0.9	0.5	0.4	0.6
Total	**2.2%**	**2.4%**	**2.4%**	**3.2%**	**2.4%**

How To Identify White Pine Blister Rust and Remove Cankers





North Central Forest
Experiment Station
Forest Service
U.S. Dept. of Agriculture

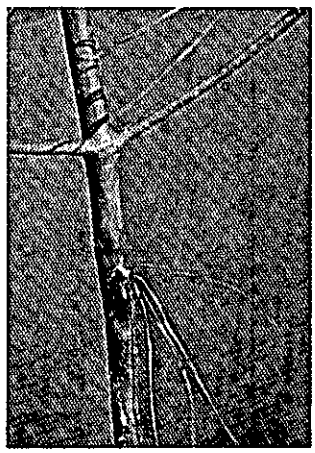
White pine blister rust (caused by the fungus *Cronartium ribicola* J. C. Fisch. ex Rabenh.) was introduced into the United States about 1900 and has since spread throughout the range of white pine. The disease intensity varies throughout the range but is normally most severe where late summers (July-September) are cool (below 67°F) and damp, conditions necessary for blister rust infection. Thus, the farther north, the more blister rust.

The fear of blister rust has greatly limited the amount of white pine planted in the Lake States even though there are many suitable areas in the southern parts of the region where white pine can be grown with no significant mortality from blister rust. Red pine has often been substituted for white pine in the Lake States, but red pine is now experiencing many new and serious disease and insect problems of its own. Thus, there is renewed interest in white pine with the hope of achieving a better balance of conifer species in the Lake States that will help minimize disease and insect losses. The development of blister-rust-resistant white pine, the possible increase in natural resistance to the disease, the planting of white pine in low blister rust hazard zones, and the pruning of blister rust cankers in certain high quality white pine stands can help achieve this balance.

Toward this end, helps for identifying white pine blister rust and suggestions for controlling it by canker pruning are presented here.

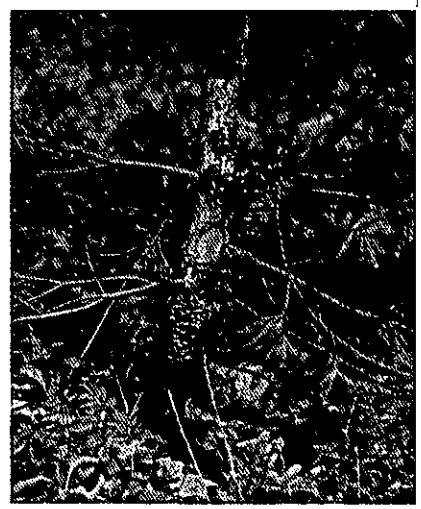
Identification

Symptoms vary with different stages of spore and canker development. The fungus has five spore forms in its life cycle: two (pycniospores and aeciospores) occur on pine, and the others (urediospores, teliospores, and basidiospores) occur on the alternate hosts, current and gooseberry *(Ribes)* bushes. The fungus cannot spread from pine to pine.



For initial infection look for: Patches of browning bark bordered by a yellowish discoloration of the bark the first year and a typical spindle-shaped swelling by the second year after infection. Fungus spores (basidiospores) produced on the *Ribes* host during cool, wet weather in late summer and fall infect the white pine through stomata on needles or young stems.





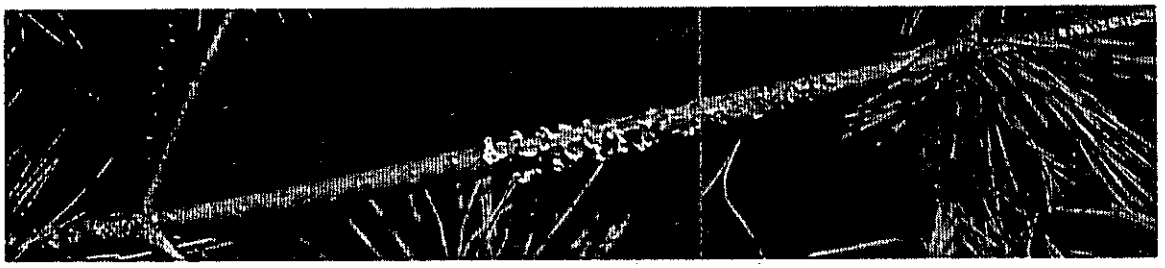
Year round look for: Mature cankers bordered by a yellowish discoloration of bark at the canker margin and rodent-feeding on cankers.



Breaks in the bark cankers and a resulting resin flow down the stem that hardens, providing a distinctive symptom.

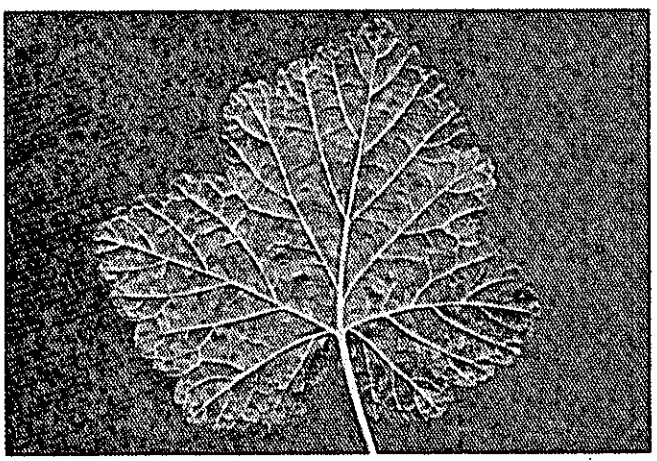
Do not confuse with damage done by the pine bark aphid which appear as scattered patches of white flecks on the bark of the tree.

In early spring look for: Sporulating cankers in the form of orange-yellow blisters that push through the bark and produce aeciospores. These spores are wind disseminated and infect *Ribes.*





In late spring and early summer look for: Pycnia that appear as yellow-brown blisters on the canker face and produce a sticky yellow-orange fluid containing pycniospores. After a short time these blisters and fluid turn hard and black and can persist in this form for several weeks.



In summer look for: Uredia on *Ribes.* Orange spores, called urediospores, develop on the undersides of leaves as a result of infection by aeciospores released from pine, or from previously produced urediospores that can re-infect the same host, but cannot infect pine. These spores are wind disseminated.



In late summer and early fall look for: Brown hair-like projections (telia) on the underside of *Ribes* leaves. Telia commonly start forming while uredia are present on the same leaves. In cool, wet weather of late summer and early fall, the telia produce delicate round, hyaline spores called basidiospores that are carried by wind to pine needles where they cause infection thus completing the life cycle.

Control

Cankers on the main stem will usually kill the tree above the canker. No control is possible. Cankers on the branches at least 4 inches from the main stem (trunk) should be removed from the tree. This will prevent the canker from reaching the main stem and killing the tree. Most blister

rust cankers in the Lake States occur within 9 feet of the ground so pruning has the added advantage of removing the needle-bearing surface of the tree that is most vulnerable to infection. Where infection occurs in the upper crowns of large trees, pruning for control is impractical.

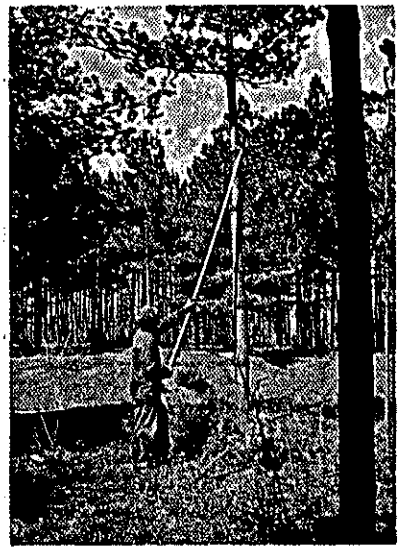
Caution! Check your area for white pine weevil infestation. An investment in blister rust canker control may not be practical where weevil damage is severe unless the weevil can also be controlled.

In Forest Stands

Pruning to control white pine blister rust is normally warranted only in the northern parts of the Lake States where the disease is most severe. For best blister rust control begin pruning when trees are about 4 years old and 2 feet in height. Of course pruning also provides the additional benefits of better wood quality. Here is how to decide if pruning is needed, regardless of hazard zone.

1. Consider stands of white pine more than 3 years old that have more than 200 crop trees per acre and living needles within 18 inches of the main stem in the lower 9 feet of the tree.
2. Determine the number of white pine crop trees per acre that have cankers on or within 4 inches of the main stem.
3. Determine the number of crop trees per acre with at least one canker 4 to 18 inches from the main stem. Do not count cankers above lower seven living whorls.
4. Divide the infected crop trees (3) by total crop trees (2 + 3) to determine the percent of infection during the last 5 years.
5. Divide total infection percent (4) by 5 (years) or the total number of whorls on a tree minus 2, whichever is less, to determine **annual infection rate.**
6. Prune **only** those stands that have an annual infection rate greater than that shown to be acceptable in the tabulation below:

White Pine Per Acre (Number)	Acceptable Annual Lethal Infection (Percent)
200-299	1
300-399	2
400-499	3
500-599	4
600-649	5
650-699	6
700-749	7
750-799	8
800-849	9
850+	10



7. Re-examine stands every 10 years until the lower 9 feet of the bole are free of living limbs.
   - Prune a maximum of 200 crop trees per acre for natural stands and 350 trees per acre for plantations.
   - Prune all limbs flush to the trunk from the lower half of the tree or to 9 feet, whichever is less.
   - Prune all accessible branches above 9 feet that have a canker 4 to 18 inches from the stem.

Example

1. 10-year-old white pine stand.
2. 320 crop trees per acre.
3. 65 crop trees with cankers 4 to 18 inches from the main stem in the lower seven whorls.
4. 65/320 = 20 percent for 5 years
5. 20 percent/5 years = 4 percent per year
6. 320 crop trees per acre at 4 percent annual infection. Hence, pruning is appropriate.

Protecting Ornamental and Christmas Tree Plantings

The principles of controlling blister rust on trees grown for ornamental purposes (landscaping, Christmas trees, etc.) are the same as for forest trees, but the practice is somewhat different. By definition such trees should maintain the maximum amount of foliage. So, home and cabin owners and Christmas tree growers who want to protect their white pines from blister rust should remove only those branches that contain cankers 4 or more inches from the trunk. Repeat the process whenever new infections are detected. Trees with cankers on or within 4 inches of the trunk are doomed to die anyway, so any effort to preserve them is futile.

For Additional Help

Contact your State Department of Natural Resources, Forestry or Plant Pathology Extension Services, or your State Department of Agriculture, Plant Industry Division.

Technical References

Anderson, Ralph L. 1973. A summary of white pine blister rust research in the Lake States. USDA For. Serv. Gen. Tech. Rep. NC-6, 12 p. North Cent. For. Exp. Stn., St. Paul, Minnesota.

Brown, H. Daniel. 1972. Guidelines: pruning white pine in the Lake States for blister rust control. S&PF Field Office Rep. S-72-9, 13 p. For. Serv., St. Paul, Minnesota.

Weber, R. 1964. Early pruning reduces blister rust mortality in White Pine Plantations. USDA For. Serv. Res. Note LS-38, 2 p. Lake States For. Exp. Stn., St. Paul, Minnesota.

Photographs of *Ribes* uredia and telia and pycniospore droplets on white pine, courtesy of Robert Patton, Department of Plant Pathology, University of Wisconsin, Madison, Wisconsin.

Thomas H. Nicholls

Principal Plant Pathologist
North Central Forest Experiment Station
St. Paul, Minnesota

Robert L. Anderson

Plant Pathologist
Forest Insect and Disease Management Staff
Northeast Area State & Private Forestry
Upper Darby, Pennsylvania

Copies available from—

North Central Forest Experiment Station
1992 Folwell Avenue
St. Paul, MN 55108

or

Northeast Area State & Private Forestry
6816 Market Street
Upper Darby, PA 19082

1977



State of Vermont

[illegible]

AGENCY OF NATURAL RESOURCES
103 South Main St., 10 South
Waterbury, Vermont 05671-0601

DEPT. OF FORESTS, PARKS AND RECREATION

Fax: (802) 244-1481
(802) 241-3678
[illegible]

May 21, 1998

To Whom It May Concern:

The State of Vermont, Departments of Forests, Parks and Recreation and Agriculture, Food and Markets have recently made a decision to allow plants in the genus *Ribes* (gooseberries and currents) to be outplanted in gardens/beds without a permit.

This decision was made based on the following:

1) Millions of naturally occurring *Ribes* plants are growing wild throughout Vermont that are capable of causing the disease White Pine Blister Rust.

2) Despite the above, Vermont has a very low rate of Blister Rust infection.

3) White Pine Blister Rust is most serious on young white pine trees in plantations. The majority of Vermont's population of White Pine trees are beyond the size where the disease is most deadly.

While we recognize that the disease, White Pine Blister Rust, is present and active in Vermont, we believe the addition of planted *Ribes* will not significantly increase the risk to White Pine.

Sincerely,

H. Brenton Tellon, Chief
Forest Resource Protection

HBT:tg

STATE OF NEW HAMPSHIRE
DEPARTMENT of RESOURCES and ECONOMIC DEVELOPMENT
DIVISION of FORESTS and LANDS
172 Pembroke Road P.O. Box 1856 Concord, New Hampshire 03302-1856

GEORGE M. BALD
Commissioner

PHILIP A. BRYCE
Director

603-271-2214
FAX: 603-271-2629

April 29, 1999

Dear Applicant:

Enclosed is an application for planting white pine blister rust resistant currants and gooseberries. Please return completed form to:

Jennifer Bofinger
NH Division of Forests and Lands
PO Box 1856
Concord, NH 03302-1856

After issuance of permit you will be asked to submit a copy of the invoice indicating the Ribes that have been purchased.

We are very excited about providing this opportunity to you and look to you as a grower to maintain healthy plants. If you need more information or have questions, please feel free to contact me at the Division of Forests and Lands, 271-7858 or William Lord, Plant Specialist, UNH Cooperative Extension, 862-3203.

Sincerely,

Jennifer Bofinger
Forest Pathologist

* 9-9-99 Submitted by Raymond Boisvert

State of New Hampshire
List of Approved Resistant Ribes
1999

Scientific name	Common name
Black Currants	
(Ribes nigrum 'Kerry' x Ribes ussuriense)	Consort
(Ribes ussuriense x Ribes nigrum L. 'Kerry')	Crusader
(Ribes ussuriense x Ribes nigrum L. 'Kerry')	Coronet
[Altajskaja Desertnaja x (Consort x Kajaanin Musta)]	Titania
Red Currants	
(Ribes rubrum L. Grossulariaceae)	Rolan
(Ribes rubrum L. Grossulariaceae)	Rubina
(Ribes petraeum x Ribes rubrum)	Viking
Gooseberries	
(Ribes oxyacanthoides L.)	Jahns Prairie

SPECIAL ANNUAL PERMIT APPLICATION
RESISTANT RIBES (Currant/Gooseberry)

PLEASE RETURN TO: Division of Forests and Lands
P.O. Box 1856
Concord, NH 03302-1856
Tel: (603) 271-7858

Reviewer:_____ Approval Year: _____

	Approve	Disapprove	Signature	Date
DRED-Forests and Lands	_____	_____	_____	_____
Dept. of Agriculture	_____	_____	_____	_____

****

APPLICANT INFORMATION

NAME: _____
ADDRESS: _____
STREET ADDRESS: _____
CITY: _____ ZIP: _____ PHONE: _____

Will the location of the plants be the same address as above? (Circle one): yes no
If **no** please give address of planting location:
NAME: _____

STREET ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____ PHONE: _____

LOCATION MAP
Please attach a map showing the planting **location(s) of all ribes plants** and their position in relationship to buildings, roads, etc. Please indicate scale (i.e. 1"=400'):

Distance to closest eastern white pine saplings or tree(s): _____

RIBES INFORMATION
CULTIVARS TO BE PLANTED: _____
_____
_____

NAME OF PLANT SUPPLIER: _____
SUPPLIER ADDRESS: _____
CITY: _____ STATE: _____ ZIP: _____ PHONE: _____

NUMBER OF PLANTS: _____

****

The issuance of any permit is based on the assumed accuracy of all statement presented by the applicant in this application. This application is valid only for the approved plants listed on this permit; this permit does not approve plants cultivated or offspring of permitted plants. The applicant agrees to remove plants approved in this permit if evidence shows that these plants become susceptible to White Pine Blister Rust.

Signature of Applicant: _____

Print Name: _____ Date: _____

Permit fee: None **VALIDATION OF PERMIT**: *SEE REVERSE SIDE*

APPLICABLE STATUTE:

White Pine Blister Rust Control Areas:

227-K:5 Entry on Land. The director (Division of Forests and Lands) or the director's authorized agents shall have the right to enter upon any public or private property to determine the presence of the fungus disease Cronartium ribicola commonly known as white pine blister rust in any of its stages, and to carry out the necessary eradication measures.

227-K:6 Planting Currant or Gooseberry Bushes within Control Area. No person shall plant any currant or gooseberry bush within a control area without the permission of the director.

227-K:7 Diseased Plants, etc. Any currant or gooseberry bushes which are found to threaten any white pine trees with Cronartium ribicola are hereby declared to be a public pest, and any such plants may be destroyed by order of the director or the director's authorized agents.

227-K:8 Obligation of Towns. When, in the opinion of the director and the commissioner of agriculture, markets, and food a necessity exists requiring the destruction of currant and gooseberry bushes in any town, the director or the director's authorized agents may remove or destroy any currant and gooseberry bushes within such town and charge the expense to state appropriations made available for this purpose or in the event state appropriations are not made available or are insufficient for this purpose, charge said expenses to the town; provided, however, that no town shall be required to expend more than $400 in any one year for such control measures. If such order is not complied with, the governor and council may order such town to carry out any control measures specified by the director.

227-K:9 Expense. The expenses to the town provided for in RSA 227-K:8 for control measures shall be deemed to be a judgment against the town and the amount shall, without vote of the town, be paid by the selectmen.

227-K:10 Notice Required. Two weeks prior to removal or destruction of any currant or gooseberry bushes within any town by the director or the director's authorized agents, a written notice shall be given by the director to the selectmen of the town stating the date when, and the location where, operations for such removal or destruction will begin.

227-K:11 Damages for Destruction of Bushes or Trees. If within any designated control area, bushes or trees other than currants and gooseberries which threaten white pine trees with Cronartium ribicola are designated by the director or the director's agents and destroyed by the director or the director's agent's specific order, the owner may be compensated, the damages to be assessed by the director at not more than the actual value of the material destroyed, and paid to the owner by the state treasurer upon authorization of the commissioner

227-K:12 Alternative. In lieu of money damages for any trees or bushes destroyed under RSA 227-K: 11, the director may offer, and the owner may accept, forest planting stock to be furnished from the state forest nursery.

VALIDATION: IN ORDER FOR THIS PERMIT TO BE VALID, A COPY OF THE INVOICE(S) FOR THE CURRANTS OR GOOSEBERRIES PURCHASED MUST BE MAILED TO THE DIVISION OF FORESTS AND LANDS AT THE ADDRESS ON FRONT OF THIS FORM. IF AN INVOICE IS NOT RECEIVED, YOU WILL BE REQUIRED TO REMOVE THE PLANTS (REFER TO THE STATUE ABOVE).

TESTIMONY ON HB 52
February 2, 1999

Good morning Mr. Chairman and members of the committee. My name is Jennifer Bofinger and I am an entomologist with the Division of Forests and Lands. My responsibilities include the forest health monitoring and insect and disease programs. I am here to testify on behalf of the Division of Forests and Lands in support of the **purpose** of HB 52 but opposed to the bill itself.

The Division of Forests and Lands supports the **purpose** of the bill because we recognize the importance of agriculture as part of the working landscape of agriculture and forestry in the state. We do not think the bill is necessary because the purpose of the bill can be met under existing statute.

The Division of Forests and Lands is responsible for forest protection under RSA 227:K. This responsibility specifically includes protection of white pine from white pine blister rust in RSA 227-K: 5. Even though we are in favor of allowing the planting of Ribes species proven immune to white pine blister rust (WPBR), please realize this is a serious disease of white pine and the division will continue to carry out our charge under this statute.

The Division of Forests and Lands has taken responsibility to control this disease with strong laws authorizing our agency to enter onto any public or private property to carry out eradication of currants or gooseberries. In addition, the cost of removal of these plants can be charged to the town, up to $400.00. It is important that we do not compromise the states ability to remove currants or gooseberries planted without permission. Nor should we prevent the state from being able to eradicate permitted Ribes that show signs of blister rust disease. We feel very strongly about maintaining our ability to protect the white pine timber resource.

Eastern white pine has always been a highly valued tree species because of it's dominance in the forest landscape and it's useful wood properties. The latest forest inventory and analysis of NH reported 747,000 acres classified as white pine forest. The end value of this resource totals in the billions. We are concerned with anything that puts this resource at risk. Knowing this, it is easy to understand why for over 50 years, Ribes eradication programs have been a focus of forest protection efforts.

Without giving an in-depth lesson in pathology, I would like to relate some important information regarding white pine blister rust. White pine blister rust (WPBR) is a complex disease. It is a disease that does not move directly from host to like host (ex. Chestnut to chestnut). It requires an alternate host species, Ribes, to complete its life cycle. It must go from Ribes to white pine and then back to Ribes to survive.

WPBR has five spore forms, each with it's own purpose and vulnerabilities. The spores that infect white pine, only infect through the pine needles. Slowly, over years, the infection moves down the branch and into the stem. Once the white pine stem is infected there is no control for this disease.

Whether there are few or many Ribes plants around, the chance of white pine being infected has more to do with the local climate than the number plants. Local climate is the most influential factor in determining the incidence of infection in an area. The spores require warm moist air to survive and infect.

The Division of Forests and Lands urges strict adherence to scientific evidence when determining which currant or gooseberry varieties are allowed. Only varieties with proven, scientific immunity should be approved. The immune Ribes plants that we are aware of carry a gene trait for this immunity. These varieties have been proven immune for over 50 years. With scientific proof, we are agreeable to other varieties being added to the list. However, we also must be able to remove varieties from the list that develop blister rust. We also realize that the gene for resistance may not be carried to the offspring of these plants. Therefore we urge the Ribes growing community to maintain their plants in a responsible manner.

The Director of the Division of Forests and Lands currently holds the authority under RSA 227-K:6 to permit the planting of any currant or gooseberry bush within the control area. Using this procedure already in place and in consultation and agreement with the commissioner of the Department of Agriculture, we will authorize the planting of proven immune Ribes species to those who request permission to plant. These individuals will then be registered as having immune plants. This registration will benefit both the grower and the state. In the event that the state resumes a Ribes eradication program, register plants will not be destroyed. It will also offer us more control in removal of infected plants if those species with immunity become diseased.

We feel that using the rules currently in place will present a more efficient means to accommodate those desiring to plant Ribes while not compromising the Division of Forests and Lands responsibility to protect the forests.

The success of the allowance of resistant Ribes depends on the knowledge and competence of growers to maintain a healthy population of Ribes; and for careful administration and monitoring by the state to ensure diseased Ribes are removed and the health of white pine is not put at risk. We feel this can successfully happen using the long established laws that have worked well protecting our state's forests.

There are attachments to this testimony for further explanation. Thank you for the opportunity to provide you with this testimony. I would be glad to answer any questions.

NEW HAMPSHIRE'S FORESTRY LAWS

TITLE XIX-A

Including:

CHAPTER 227-G: POLICY, DEFINITIONS, AND ADMINISTRATION

CHAPTER 227-H: PUBLIC FOREST LANDS: MANAGEMENT, ACQUISITION, AND LOST TAXES

CHAPTER 227-I: FOREST RESOURCES EDUCATION,PROMOTION, AND PLANNING

CHAPTER 227-J: TIMBER HARVESTING

CHAPTER 227-K: FOREST HEALTH

CHAPTER 227-L: WOODLAND FIRE CONTROL

Prepared by: Jane L. Calvin
Policy Specialist
Society for the Protection of New Hampshire Forests

September 1995

CHAPTER 227-K

FOREST HEALTH

227-K:1 Declaration of Purpose. It is hereby recognized and declared that the public welfare of this state requires monitoring and assessment of the status of changes and long-term trends in the health of the state's forests and the ability to detect and reduce the incidence and severity of forest insect and disease infestations.

227-K:2 Duties of the Director.

I. The director shall:

(a) Be responsible for the protection of forests from forest pests in order to reduce and prevent loss of timber resources, enhance the growth and maintenance of forests, conserve forest cover on watersheds, and promote stability of forest-using industries.

(b) Coordinate forest pest control efforts with the commissioner of agriculture and the state entomologist. The director and commissioner of agriculture shall establish and publish an annual work plan outlining these efforts and specifying the responsibilities of each agency.

(c) Coordinate efforts with the federal forest health monitoring program.

(d) Prepare a biennial report summarizing the status of forest health.

II. The director or the director's authorized agents may, for the purpose of performing the duties under this chapter, enter upon all lands in this state, posted or otherwise.

227-K:3 Designation of Control Areas.

I. The director may publicize information concerning forest insects and diseases.

II. Control areas may be designated upon determination of the director, in consultation with the commissioner, the state entomologist, the commissioner of the department of agriculture, other agencies as necessary, and affected landowners, that an exotic, non-native forest insect or disease poses a significant threat to forests and that there is the potential for localized infestations to spread to adjacent lands. Notification of such designation may be provided as authorized under paragraph I.

III. (a) A landowner within a control area shall carry out such control measures as are ordered by the director, to the extent practical and where proven technology is available, including but not limited to, the removal and destruction of any plants harboring insects or diseases.

(b) If such control measures are not immediately taken by the property owner, the director or authorized agent may remove and destroy infected vegetation from any land within the control area. Cost of actions taken by the state shall be borne by the state.

(c) A landowner's right to appeal a decision by the director under this chapter shall be provided in rules adopted by the commissioner under RSA 541-A.

227-K:4 Cooperation of Agencies. The commissioner and director may cooperate with departments of the federal government, the state department of agriculture, and the agricultural experiment station for the control or eradication of forest insects and diseases in the state generally, and for carrying out such investigations as are deemed advisable by the commissioner.

White Pine Blister Rust Control Areas

227-K:5 Entry on Land. The director or the director's authorized agents shall have the right to enter upon any public or private property to determine the presence of the fungus disease Cronartium ribicola commonly known as white pine blister rust in any of its stages, and to carry out the necessary eradication measures.

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227-K:8 Obligation of Towns. When, in the opinion of the director and the commissioner of agriculture, markets, and food a necessity exists requiring the destruction of currant and gooseberry bushes in any town, the director or the director's authorized agents may remove or destroy any currant and gooseberry bushes within such town and charge the expense to state appropriations made available for this purpose or in the event state appropriations are not made available or are insufficient for this purpose, charge said expenses to the town; provided, however, that no town shall be required to expend more than $400 in any one year for such control measures. If such order is not complied with, the governor and council may order such town to carry out any control measures specified by the director.

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227-K:12 Alternative. In lieu of money damages for any trees or bushes destroyed under RSA 227-K:11, the director may offer, and the owner may accept, forest planting stock to be furnished from the state forest nursery.

Nursery Inspection

227-K:13 Nursery Inspection. The state nursery inspector, under the direction of the commissioner of agriculture, markets, and food may enter upon any land contiguous to or within the vicinity of any nursery within the state, for the purpose of determining the presence or absence of Cronartium ribicola in any of its stages, or other threatening insect or disease infestation, and within such area the inspector shall have the same power and duties for the control and eradication of the white pine blister rust or its hosts as is vested in the director of the division under this chapter, and shall have the power to enforce and carry out necessary measures for the control or eradication of other threatening insect or disease infestation.

227-K:14 Regulation of Entry. The state nursery inspector under the direction of the commissioner of agriculture, markets, and food may prohibit and prevent or regulate the entry into the state, or the movement within the state, of any living 5-needled pine trees or any plants of the genus ribes, or other nursery stock or plants, or the products thereof, which in the inspector's judgment may cause the introduction or spread of a dangerous insect or disease.

227-K:15 Orders. The state nursery inspector and the commissioner of agriculture, markets, and food may issue such orders, notifications and permits as may be necessary to carry out the provisions of RSA 227-K:14.

227-K:16 Expenses. The expenses necessary for carrying out the provisions of this subdivision shall be paid from the appropriation for nursery inspection or other funds of the department of agriculture, markets, and food.

227-K:17 Penalty. Any person violating any of the provisions of this chapter shall be guilty of a violation.

STATE OF NEW HAMPSHIRE
DEPARTMENT of RESOURCES and ECONOMIC DEVELOPMENT
DIVISION of FORESTS and LANDS
172 Pembroke Road P.O. Box 1856 Concord, New Hampshire 03302-1856

603-271-2214
FAX: 603-271-2629

GEORGE M. BALD
Commissioner

PHILIP A. BRYCE
Director

You have been approved to plant the Ribes indicated on your application. Please remember to mail in a copy of the invoice for the plants purchased in order to **validate** your permit (refer to the backside of the enclosed blank permit). Mail to: Jennifer Bofinger, Forests and Lands, P.O. Box 1856, Concord, NH 03302-1856.

Voting Sheets

HOUSE COMMITTEE ON ENVIRONMENT AND AGRICULTURE

EXECUTIVE SESSION on HB 52

BILL TITLE: **exempting certain currants and gooseberries resistant to the white pine blister rust organism from restrictions on planting in control areas.**

DATE: March 3, 1999

LOB ROOM: 303

Amendments:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Motions: OTP, OTP/A, ITL, Re-Refer, Interim Study (Please circle one.)

Moved by Rep. Marshall

Seconded by Rep. Owen

Vote: 19-0 (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Re-Refer, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote: (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE: 19-0

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Karen K. McRae, Clerk

ENVIRONMENT AND AGRICULTURE 1999 SESSION

HB Bill # 52

Public Hearings _____ Executive Session 3-3-99

COMMITTEE REPORT: Re-Refer

	YEAS	NAYS
Musler, George T, Chairman		
Leishman, Peter R, V Chairman		
Messier, Irene M	✓	
Pratt, Leighton C	✓	
McRae, Karen K, Clerk	✓	
Philbrick, Donald R	✓	
Babson, David L, Jr	✓	
Phinney, William R	✓	
Marshall, Kenneth R	✓	
Dunlap, Patricia C	✓	
Franks, Suzan L R	✓	
Scanlan, David M	✓	
Cobb, John S	✓	
Harmon, Hobart M	✓	
Hall, Betty B	✓	
Owen, Derek	✓	
Melcher, Harold P	✓	
Meader, David R	✓	
Ouellette, Mary M		
Phinizy, James	✓	
Shelton, Richard C	✓	
Tuthill, John G	✓	
TOTAL VOTE	19	-0

Appeared in Favor | Appeared in Opposition

Consent yes -

EXECUTIVE SESSION

COMMITTEE E + A

BILL NUMBER HB 52

BILL TITLE: _____

_____

DATE: 10-26-99 LOB ROOM: _____

Amendments:

Sponsor: Rep. _____ OLS Document #: _____ Adopted/Failed

Sponsor: Rep. _____ OLS Document #: _____ Adopted/Failed

Sponsor: Rep. _____ OLS Document #: _____ Adopted/Failed

Motions: OTP, OTP/A, ITL, Re-Refer, Interim Study (Please circle one.)

Moved by Rep. Marshall

Seconded by Rep. Owen

Vote: _____ (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Re-Refer, Interim Study (Please circle one.)

Moved by Rep. _____

Seconded by Rep. _____

Vote: _____ (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE: _____

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. _____, Clerk

ENVIRONMENT AND AGRICULTURE 1999 SESSION

Bill # 52

Public Hearings _____ Executive Session _____

COMMITTEE REPORT: ITL

	YEAS	NAYS
Musler, George T, Chairman		
Leishman, Peter R, V Chairman	✓	
Messier, Irene M	✓	
Pratt, Leighton C	✓	
McRae, Karen K, Clerk	✓	
Philbrick, Donald R, Acting Clk	✓	
Babson, David L, Jr		
Phinney, William R	✓	
Marshall, Kenneth R	✓	
Dunlap, Patricia C	✓	
Franks, Suzan L R		
Scanlan, David M	✓	
Cobb, John S	✓	
Harmon, Hobart M		
Hall, Betty B	✓	
Owen, Derek	✓	
Melcher, Harold P	✓	
Meader, David R	✓	
Ouellette, Mary M		
Phinizy, James		
Shelton, Richard C	✓	
Tuthill, John G		
TOTAL VOTE	15 - 0	

Appeared in Favor	Appeared in Opposition

10/14

Committee Report

COMMITTEE REPORT

COMMITTEE: **Environment and Agriculture**

BILL NUMBER: **HB 0052**

TITLE: exempting certain currants and gooseberries resistant to the white pine blister rust organism from restrictions on planting in control areas.

DATE: March 3, 1999 CONSENT CALENDAR YES ☒ NO ☐

☐ OUGHT TO PASS

☐ OUGHT TO PASS WITH AMENDMENT

☐ INEXPEDIENT TO LEGISLATE

☒ RE-REFER

☐ REFER TO COMMITTEE FOR INTERIM STUDY
(Available only in second year of biennium.)

STATEMENT OF INTENT
(Include Committee Vote)

The Committee would like to have time to work with the Division of Forests and Lands to see if it is possible to solve the sponsors' problem without passing legislation.

Vote 19-0.

Rep. Kenneth R. Marshall
FOR THE COMMITTEE

Original: House Clerk
cc: Committee Bill file

USE ANOTHER REPORT FOR MINORITY REPORT

COMMITTEE REPORT

COMMITTEE: **Environment and Agriculture**

BILL NUMBER: **HB 52**

TITLE: exempting certain currants and gooseberries resistant to the white pine blister rust organism from restrictions on planting in control areas.

DATE: October 26, 1999 CONSENT CALENDAR YES ☒ NO ☐

☐ OUGHT TO PASS

☐ OUGHT TO PASS WITH AMENDMENT

☒ INEXPEDIENT TO LEGISLATE

☐ RE-REFER

☐ REFER TO COMMITTEE FOR INTERIM STUDY
(Available only in second year of biennium.)

STATEMENT OF INTENT
(Include Committee Vote)

The committee voted 15-0 that this bill is unnecessary at this time because the law already allows for the Division of Forests and Lands to issue permits for the growing of gooseberries and currants and, in fact, is now doing so.

Vote 15-0.

Rep. Kenneth R. Marshall
FOR THE COMMITTEE

Original: House Clerk
cc: Committee Bill file

USE ANOTHER REPORT FOR MINORITY REPORT

CONSENT CALENDAR

Environment and Agriculture

HB 52, exempting certain currants and gooseberries resistant to the white pine blister rust organism from restrictions on planting in control areas. INEXPEDIENT TO LEGISLATE

Rep. Kenneth R. Marshall for **Environment and Agriculture:** The committee voted 15-0 that this bill is unnecessary at this time because the law already allows for the Division of Forests and Lands to issue permits for the growing of gooseberries and currants and, in fact, is now doing so. Vote 15-0.

COMMITTEE REPORT

COMMITTEE: G + A

BILL NUMBER: HB52

TITLE:

DATE: 10-26-99 CONSENT CALENDAR: YES ☑ NO ☐

- ☐ OUGHT TO PASS
- ☐ OUGHT TO PASS W/ AMENDMENT
- ☒ INEXPEDIENT TO LEGISLATE
- ☐ RE-REFER
- ☐ INTERIM STUDY (Available only 2nd year of biennium)

Amendment No.

STATEMENT OF INTENT:

The committee voted 15-0 that this bill is unnecessary at this time because the law already allows ~~the~~ the ~~Dept~~ Div of Forests & lands to issue permits for the growing of gooseberries and currants and in fact is now doing so.

COMMITTEE VOTE: 15-0

- Copy to Committee Bill File
- Use Another Report for Minority Report

RESPECTFULLY SUBMITTED,

Rep. Kenneth R. Marshall
For the Committee

Rev. 07/30/99