

# 'Right to Farm' bill passes House

HARRISBURG — This Tuesday the Right to Farm bill climbed one more step on the legislative ladder to becoming law. With a vote of 179-2, House Bill 1823 was passed by the House of Representatives in its last week of sessions before the close of 1981.

Introduced by Lancaster County's Rep. Noah Wenger on Sept. 22, 1981, HB 1823 is designed to protect agricultural operations from nuisance suits and ordinances.

The three-page bill states that "when nonagricultural land uses extend into agricultural areas, agricultural operations often become the subject of nuisance suits and ordinances. As a result, agricultural operations are sometimes forced to cease operations. Many others are discouraged from making investments in farm improvements."

"It is the purpose of this act to reduce the loss to be Commonwealth of its agricultural resources by limiting the circumstances under which agricultural operations may be subject matter of nuisance suits and ordinances."

The bill spells out that no nuisance action can be brought against a farm which has been operating for at least one year and where the conditions of circumstances complained of have existed for the most part unchanged since the operation was established, and that the farm is operating normally.

It further notes that if an operation is expanded and the expanded facility has been in operation for one year or more prior to the complaint, the farmer is protected, as long as the farmer

is abiding by the rest of the state's regulations, such as the Clean Streams Law.

The bill had received the blessing of the House Agricultural and Rural Affairs Committee on October 28 with a vote of 20-2. In this week's full-House action, the two 'no' votes were cast by Pittsburgh's Rep. Ivan Iltkin and Montgomery County's Rep. Robert Reber.

Commenting on the 'no' votes cast against this bill, Rep. Wenger pointed out Rep. Reber went on record after the official roll call

saying he had inadvertently voted 'no' but had wanted to vote 'yes.' This was recorded in the written journal of the legislative session, however the vote stood at 179-2.

From here, HB 1823 moves to the Senate, with action expected early in 1982. Wenger stated he was optimistic that the bill would receive fair consideration from the Senate and reported that the Senate Agricultural Committee chairman has said he'd be "pleased to put it on next year's agenda."

According to Wenger, HB 1823 is just one of the ongoing needs for programs to encourage farmland preservation in Pennsylvania.

In other action on the Hill, Senate Bills 919-920, which exempt farm manure facilities from real estate taxes, were split this week. The Senate concurred with the House amendments on SB 920, however, they held SB 919 in conference committee until the new year.

House Bill 327, which would require a bill of sale to prove ownership when Christmas trees

are cut, transported or sold, will remain in the House Ag Committee over the holidays. Vice chairman Noah Wenger pointed out there were "some problems in the enforcement sections" of the bill.

And, the long-awaited House Bill 1351 that would declare milk to be the state's official beverage will have to wait until next year for further action. Although it was passed by the House last May, Rep. Joseph Grieco's bill was returned to the Senate Ag Committee.

## Farm Bill

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bill is very grave, indeed," warned Senator Jesse Helms, Chairman of the Senate Committee on Agriculture Nutrition and Forestry.

Helms reported that in the absence of a Farm Bill, all farm programs would revert to permanent legislative authorities of 1938 and 1949. It has been estimated that returning to this original legislation for farm programs would cost more than double the estimated cost of the 1981 Farm Bill.

"Without approval of this Farm Bill the nation's farm policies will be thrown into confusion and the impact upon the farm economy will be extremely adverse," said Helms.

The bill includes four-year price support programs for wheat, feed grain, dairy products, cotton, rice, peanuts, soybeans, sugar and wool. A one-year extension of the

food stamp program is included as well as grain reserve programs, soil conservation incentives, protection for farmers against export embargoes, and programs for agricultural research, extension and teaching.

Major savings between the Senate and House bills were accomplished through a scaled down dairy program and revised target prices.

The bill sets milk price supports at not less than \$13.10 per hundredweight for fiscal 1982. In 1983, 1984 and 1985, the minimums would be \$13.25, \$14.00 and \$14.60 if surplus purchases during the year are projected at more than \$1 billion, the minimum would be 70 percent of parity.

The support would rise to 75 percent of parity if projected surplus purchases are less than 4 billion pounds of milk in 1983, 3.5 billion in 1984 and 2.69 billion for 1985.

The bill also directs the

Secretary of Agriculture to report on the strengths and weaknesses of existing and possible new programs for controlling milk surplus, including a review of the impact of government programs on regional supplies. The Conference Committee report recommended that the President establish a limit on casein imports.

Feed grain target prices, another major difference between the Senate and House version, sets corn prices at not less than \$2.70 per bushel on the 1982 crop and \$2.86 for 1983, \$3.03 for 1984 and \$3.18 for 1985.

Price support loan rates for corn would be not less than \$2.55 per bushel from 1982-85. Regulations on set-aside or direct acreage limitations as a condition of price support, on use of paid-diversion programs, on disaster payments and on similar provisions would be the same for wheat.

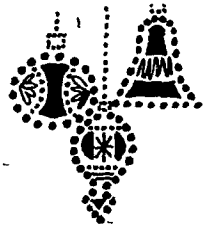
The Secretary would be required to provide target price protection for grain sorghum and oats. Price support loans for grain sorghum,

barley and oats would be set at "fair and reasonable" levels tied to the level for corn.

Conferees urged the Secretary to consider, as in the case of wheat, offering an increased loan rate to any producer who enrolls in a future set-aside or acreage reduction program.

At press time the 1981 Farm Bill had not reached the White House for the President's signature.

In other legislative action, the Senate recently approved the presidential nominations of W. Proctor Scarborough of Zebulon, N.C., and Ralph Ball of Sterling, Kansas to be members of the Federal Farm Credit Board of the Farm Credit Administration.



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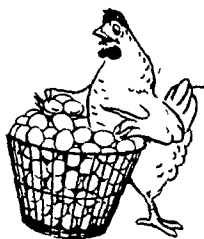


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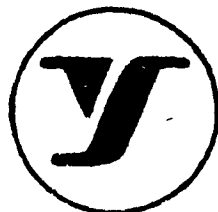
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