

HOUSE BILL No. 2454

By Committee on Agriculture

2-8

AN ACT concerning agriculture; relating to the agriculture products development division of the department of commerce and housing; duties; amending K.S.A. 2000 Supp. 74-50,156 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 2000 Supp. 74-50,156 is hereby amended to read as follows: 74-50,156. (a) There is hereby established within and as a part of the department of commerce and housing the agriculture products development division. The secretary of commerce and housing shall appoint a director of such division and such director shall be in the unclassified service of the Kansas civil service act. Subject to and in accordance with appropriations acts, the agriculture products development division shall include: (1) All powers, duties and functions related to the agricultural value added center pursuant to subsections (b) and (c); (2) all powers and duties created regarding the division of markets pursuant to K.S.A. 74-530, and amendments thereto, which are hereby transferred; (3) all powers and duties created regarding registered trademarks pursuant to K.S.A. 74-540a, and amendments thereto, which are hereby transferred; (4) all powers and duties regarding the trademark fund pursuant to K.S.A. 74-540b, and amendments thereto, which are hereby transferred; and (5) all powers and duties created regarding expenditures and moneys credited to the market development fund pursuant to K.S.A. 74-540c, and amendments thereto, which are hereby transferred.

(b) The objectives of the agricultural value added center within the agriculture products development division shall include, but not be limited to, providing technical assistance to existing and potential value added facilities, including incubator facilities; developing a network for collecting and distributing information to individuals involved in value added processing in Kansas; initiating pilot plant facilities to act as research and development laboratories for existing and potential small scale value added processing endeavors in Kansas; providing technical assistance to new agricultural value added businesses; developing and promoting communication and cooperation among private businesses; state government agencies and public and private colleges and universities in Kansas; es-

1 tablishing research and development programs in technologies that have
2 value added commercial potential for food and nonfood agricultural prod-
3 ucts achieving substantial and sustainable continuing growth for the Kan-
4 sas economy through value added products from agriculture; serving as
5 a catalyst for industrial agriculture through technological innovation in
6 order to expand economic opportunity for all Kansas communities; estab-
7 lishing an industrial agriculture industry for the state of Kansas; com-
8 mercializing the developed industrial agriculture technology in smaller
9 communities and the rural areas of Kansas; and developing investment
10 grade agriculture value added technologies and products.

11 (c) Subject to the provisions of appropriations acts, the functions of
12 the agricultural value added center within the agriculture products de-
13 velopment division shall include, but not be limited to, developing a mar-
14 ket referral program, matching distribution to buyers in coordination with
15 other state agencies concerned with marketing Kansas products; assisting
16 private entrepreneurs in the establishment of facilities and markets for
17 new agricultural value added endeavors; and introducing coordinated pro-
18 grams to develop marketing skills of existing agricultural value adding
19 processors in Kansas.

20 (d) (1) It shall be the duty of the agriculture products development
21 division to perform acts and to do, or cause to be done, those things which
22 are designed to lead to the more advantageous marketing of agricultural
23 products of Kansas. For these purposes the division may:

- 24 (A) Investigate the subject of marketing farm products;
- 25 (B) promote their sales distribution and merchandising;
- 26 (C) furnish information and assistance to the public;
- 27 (D) study and recommend efficient and economical methods of
28 marketing;
- 29 (E) provide for such studies and research as may be deemed neces-
30 sary and proper;
- 31 (F) gather and diffuse timely and useful information concerning the
32 supply, demand, prevailing prices and commercial movement of farm
33 products including quantity in common storage and cold storage, in co-
34 operation with other public or private agencies;
- 35 (G) conduct market development activities and assist and coordinate
36 participation by companies, commodity organizations, trade organiza-
37 tions, producer organizations and other interested organizations to de-
38 velop new markets and sales for Kansas agricultural commodities and food
39 products;
- 40 (H) render assistance to any of the entities listed in subsection (G)
41 and development activities and make a reasonable service charge for such
42 services rendered by the division; ~~and~~
- 43 (I) make agreements with other states and with the United States

1 government, or its agencies, and accept funds from the federal govern-
2 ment, or its agencies, or any other source for research studies, investi-
3 gation, market development and other purposes related to the duties of
4 the division; and

5 *(J) gather and distribute necessary information to all processors and*
6 *other facilities inspected pursuant to article 6a of chapter 65 of the Kansas*
7 *Statutes Annotated on the process and requirements to enable such pro-*
8 *cessors and facilities to be inspected pursuant to the federal meat inspec-*
9 *tion act and the federal poultry products inspection act in lieu of such*
10 *state inspection and inform such processors and other facilities of any*
11 *possible grant money available to assist them in the transition to federal*
12 *inspection.*

13 (2) The department of commerce and housing shall remit all moneys
14 received under this subsection to the state treasurer at least monthly.
15 Upon receipt of any such remittance, the state treasurer shall deposit the
16 entire amount thereof in the state treasury and the same shall be credited
17 to the market development fund. All expenditures from such fund shall
18 be made for any purpose consistent with this subsection and shall be made
19 in accordance with appropriation acts upon warrants of the director of
20 accounts and reports issued pursuant to vouchers approved by the sec-
21 retary of commerce and housing or a person designated by the secretary.

22 (e) (1) In conjunction with any trademark registered by the depart-
23 ment of commerce and housing, the agriculture products development
24 division is hereby authorized to:

25 (A) Promulgate policy regarding the use of any such trademark;

26 (B) print, reproduce or use the trademark in or on educational, pro-
27 motional or other material;

28 (C) fix, charge and collect fees for the use of the trademark provided
29 that the fees shall be fixed in an amount necessary to recover all direct
30 costs associated with the production of educational, promotional and
31 other materials associated with a trademark program; and

32 (D) enter into any contracts necessary to carry out the purposes of
33 this subsection, which contracts shall not be subject to the bidding
34 requirements of K.S.A. 75-3739, and amendments thereto.

35 (2) The secretary of commerce and housing shall remit all moneys
36 received under this subsection to the state treasurer at least monthly.
37 Upon receipt of any such remittance the state treasurer shall deposit the
38 entire amount thereof in the state treasury and the same shall be credited
39 to the trademark fund. All expenditures from such fund shall be made
40 for any purpose consistent with this subsection and shall be made in
41 accordance with appropriation acts upon warrants of the director of ac-
42 counts and reports issued pursuant to vouchers approved by the secretary
43 of commerce and housing or a person designated by the secretary.

1 (f) On or before February 1 of each year, the agriculture products
2 development division shall present an oral and written report to the house
3 and senate agriculture committees concerning the performance indica-
4 tors, performance outcomes, activities and functions of the division for
5 the previous year. Such report shall include a budget of how moneys
6 appropriated or otherwise authorized to be expended from the state gen-
7 eral fund or any special revenue fund for the agriculture products devel-
8 opment division of the department of commerce and housing for the
9 previous fiscal year were spent and a projected budget of moneys appro-
10 priated or otherwise authorized to be expended from the state general
11 fund or any special revenue fund for the agriculture products develop-
12 ment division of the department of commerce and housing for the current
13 fiscal year. Such report shall further include the full-time equivalent num-
14 ber of positions financed from appropriations and allocated for the agri-
15 culture products development division of the department of commerce
16 and housing for each fiscal year. In the report to the 1997 legislature, the
17 division's report shall include a mission statement for the reorganized
18 division.

19 (g) Subject to appropriation acts, the secretary of commerce and
20 housing shall fulfill all contracts in existence on the effective date of this
21 act between the Kansas technology enterprise corporation and the alter-
22 native agriculture research and development center.

23 Sec. 2. K.S.A. 2000 Supp. 74-50,156 is hereby repealed.

24 Sec. 3. This act shall take effect and be in force from and after its
25 publication in the statute book.

26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43