

MINUTES OF THE SENATE COMMITTEE ON AGRICULTURE & SMALL BUSINE

Held in Room 423-S, at the Statehouse at 10:00 a.m. a. m./p. m.,
on Thursday, March 5, 1981, 19 .

All members were present ~~xxxxix~~

The next meeting of the Committee will be held at 10:00 a.m. a. m./p. m.,
on Thursday, March 12, 1981, 19 .

These minutes of the meeting held on Thursday, March 5, 1981, 19 were
considered, corrected and approved.



Chairman

The conferees appearing before the Committee were:

Jon Josserand, Secretary of State's office
Ron Gaches, KACI

Senator Kerr called the meeting to order. He asked for clarification of the numerous motions made at the end of the March 4, 1981 meeting. Said minutes will be written accordingly.

Jon Josserand, of the Secretary of State's office, stated Senate Bill 396 is a companion bill to Senate Bill 298 and perhaps should not be acted upon unless Senate Bill 298 was favorably passed. Senator Kerr stated these are fairly minor changes needed if Senate Bill 298 passes and some technical clean up of the current reporting law is included. After some discussion, Mr. Josserand proposed a few changes:

On Line 78, strike the word "amount" and replace it with "number of shares".

On Line 82, strike the word "amount" and replace it with "number of shares".

On Line 157, strike the word "amount" and replace it with "number of shares".

On Line 159, strike "the number of memberships or"; and strike the word "amount" and replace it with "number of shares".

On Line 227, strike the word "amount" and put in "number of shares"; and on Line 229, strike the word "amount", and put in "number of shares".

Ron Gaches, of KACI, suggested a few changes in the reporting requirements.

On Lines 0097 and 0098, after the words "(1) The acreage and location listed by section, range, township and county" include date of acquisition.

On Line 0102, he felt it would be useful to add who that land is leased to and if leased to whom such land is leased.

Also, he questioned the advisability of eliminating on page 3, number (5) beginning on Line 0108; and inserting the words "or operated by the corporation" at the end of Line 0099. (No action was taken on this suggestion since it was felt this had been taken care of.)

(MORE)

Minutes of the SENATE AG & SM Committee on Thursday, March 5, 1981, 19

SENATE BILL 259

Senator Norvell presented a proposed amendment to Senate Bill 259. Since there are too many fair laws to consider, the amendment addresses the Ellis county fair situation only. He stated sometime an interim committee may be appointed to study the numerous fair laws to bring them together and make them more consistent.

Senator Norvell moved the committee adopt his proposed amendment to Senate Bill 259, as proposed by Revisor Souders, seconded by Senator Gannon. Motion carried. Senator Norvell then moved, seconded by Senator Allen, that Senate Bill 259 be reported favorably as amended. Motion carried.

SENATE BILL 286

A proposed amendment to Senate Bill 286 was distributed which clarified questions raised in the previous committee meeting, the clarifying language reading: "and the term 'owner' means the holder of any warehouse receipt or receipts or of any scale ticket or tickets for grain held in storage by a public warehouseman.";

Senator Arasmith moved this further amendment be adopted, seconded by Senator Warren. Motion carried.

Senator Thiessen moved, seconded by Senator Karr, that Senate Bill 286 be reported favorably as amended. Motion carried.

SENATE BILL 257

Senator Norvell moved, seconded by Senator Gannon, that Senate Bill 257 be reported favorably, as amended. Motion carried.

SENATE BILL 396

Senator Norvell moved, seconded by Senator Reilly, that Senate Bill 396 be amended to include the technical changes suggested by Jon Jossierand of the Secretary of State's office. Motion carried.

Senator Karr made a conceptual motion to clarify Line 0097 and 0098 to include the date of acquisition, as suggested by KACI, seconded by Senator Reilly. Motion adopted.

A conceptual motion was made by Senator Norvell, seconded by Senator Allen, to add to Lines 0101 and 0102 "who that land is leased to and, if leased, to whom such land is leased" as proposed by KACI. Motion adopted.

Senator Karr moved, seconded by Senator Gannon, that Senate Bill 396 be reported favorably as amended. Motion carried.

Meeting adjourned.

#####

3/5/81

Proposed Amendment to SB 286

Page 1, in line 21, by striking "shall be"; in line 22, by striking all before the period and inserting in lieu thereof "whether such grain is held under open storage or pursuant to the issuance of a warehouse receipt, shall have a prior right to such grain against any other person, subject only to the payment of accrued warehouse charges and the satisfaction of any lien or liens upon such grain and valid against the owner thereof, until the grain is either removed from storage by the owner or sold by the owner"; following line 22, by inserting a new paragraph as follows:

"As used in this section, the term "open storage" means the storage of grain pursuant to the issuance of a scale ticket regardless of whether the grain is retained in the warehouse or elsewhere; and the term "owner" means the holder of any warehouse receipt or receipts or of any scale ticket or tickets for grain held in storage by a public warehouseman.";

In the title, in line 17, by striking all after the semicolon and inserting in lieu thereof "relating to the owner's"; in line 18, before the period, by inserting "therein";

REPORTS OF STANDING COMMITTEES

MR. PRESIDENT:

Your committee on Agriculture and Small Business

Recommends that Senate Bill No. 259

"AN ACT concerning county fairs; relating to tax levies; amending K.S.A. 1980 Supp. 2-132 and repealing the existing section."

Be amended:

On page 1, by striking all of lines 19 to 44, inclusive;

On page 2, by striking all of lines 45 to 81, inclusive;

On page 3, by striking all of lines 82 to 98, inclusive;

following line 98, by inserting a new section as follows:

"Section 1. The board of county commissioners of Ellis county, upon request of the officially recognized county fair association in Ellis county, and upon making a determination that it is in the best interest of the county to expand its fairground by the acquisition of additional land which is adjacent to the fairground, may adopt a resolution to acquire such land. The resolution shall be published once each week for three consecutive weeks in a newspaper of general circulation in the county. After publication, the board of county commissioners may acquire such land for expansion of the fairground unless a petition requesting an election upon the proposition signed by electors equal in number to not less than 5% of the electors who voted at the last preceding regular county election, as shown by the poll books, is filed with the county election officer within 60 days following the date of the last publication of the resolution. In the event a valid petition is filed, no such land shall be acquired without such proposition having been submitted to and having been approved by a majority of the electors voting at an election called and held thereon. The election shall be

called and held in the manner prescribed for the calling and holding of elections upon the question of the issuance of bonds under the general bond law.";

By renumbering section 3 as section 2;

In the title, in line 16, after "concerning", by inserting "Ellis"; also in line 16, by striking all after "county"; in line 17, by striking all before the period and inserting in lieu thereof "; authorizing the board of county commissioners thereof to acquire land for expansion of its fairground; imposing certain conditions";

And the bill be passed as amended.



Chairperson

REPORTS OF STANDING COMMITTEES

MR. PRESIDENT:

Your committee on Agriculture and Small Business

Recommends that Senate Bill No. 286

"AN ACT concerning stored grain; providing for type of security interest."

Be amended:

On page 1, in line 21, by striking "shall be"; in line 22, by striking all before the period and inserting in lieu thereof "whether such grain is held under open storage or pursuant to the issuance of a warehouse receipt, shall have a prior right to such grain against any other person, subject only to the payment of accrued warehouse charges and the satisfaction of any lien or liens upon such grain and valid against the owner thereof, until the grain is either removed from storage by the owner or sold by the owner"; following line 22, by inserting a new paragraph as follows:

"As used in this section, the term "open storage" means the storage of grain pursuant to the issuance of a scale ticket regardless of whether the grain is retained in the warehouse or elsewhere; and the term "owner" means the holder of any warehouse receipt or receipts or of any scale ticket or tickets for grain held in storage by a public warehouseman."

In the title, in line 17, by striking all after the semicolon and inserting in lieu thereof "relating to the owner's"; in line 18, before the period, by inserting "therein";

And the bill be passed as amended.

Fred A. Kerr Chairperson

REPORTS OF STANDING COMMITTEES

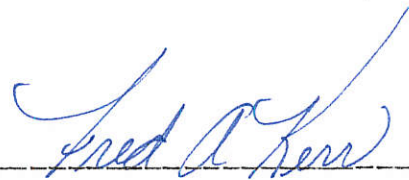
MR. PRESIDENT:

Your committee on Agriculture and Small Business

Recommends that Senate Bill No. 257

"AN ACT prohibiting purchase of identifiable imported meats with state general fund moneys; amending K.S.A. 1980 Supp. 75-3036a and repealing the existing section."

Be passed.



Chairperson

REPORTS OF STANDING COMMITTEES

MR. PRESIDENT:

Your committee on Agriculture and Small Business

Recommends that Senate Bill No. 396

"AN ACT concerning certain corporations and limited partnerships; requiring certain information relating to agricultural land to be included in annual reports thereof to the secretary of state; amending K.S.A. 17-5902 and 56-123c and K.S.A. 1980 Supp. 17-7503, 17-7504, 17-7505 and 56-123a, and repealing the existing sections."

Be amended:

On page 2, in line 78, by striking "amount" and inserting in lieu thereof "number of shares"; in line 82, by striking "amount" where it first appears, and inserting in lieu thereof "number of shares";

On page 3, in line 102, after "leased", by inserting "and, if leased, to whom such agricultural land is leased"; in line 110, by striking "and"; in line 113, by striking the period and inserting in lieu thereof "; and"; following line 113, by inserting a new paragraph as follows:

"(7) whether any of the agricultural land held and reported under this subsection was acquired after July 1, 1981.";

On page 4, in line 157, by striking "amount" and inserting in lieu thereof "number of shares";

On page 5, in line 159, by striking "amount" and inserting in lieu thereof "number of shares"; in line 173, after "such", by inserting "agricultural"; also in line 173, after "leased", by inserting "and, if leased, to whom such agricultural land is leased"; in line 181, by striking "and"; in line 184, by striking the period and inserting in lieu thereof "; and"; following line 184, by inserting a new paragraph as follows:

"(7) whether any of the agricultural land held and reported under this subsection was acquired after July 1, 1981.";

On page 6, in line 227, by striking "amount" and inserting

in lieu thereof "number of shares"; in line 229, by striking "amount" where it first appears, and inserting in lieu thereof "number of shares";

On page 7, in line 256, after "leased", by inserting "and, if leased, to whom such agricultural land is leased"; in line 264, by striking "and"; in line 267, by striking the period and inserting in lieu thereof "; and"; following line 267, by inserting a new paragraph as follows:

"(7) whether any of the agricultural land held and reported under this subsection was acquired after July 1, 1981.";

On page 8, in line 291, before "partnership's", by inserting "limited"; in line 294, before "partnership's", by inserting "limited";

In the title, in line 18, after the semicolon, by inserting "relating to annual reports thereof to the secretary of state;"; in line 19, by striking all after "included"; in line 20, by striking "state" and inserting in lieu thereof "therein";

And the bill be passed as amended.


Chairperson

SENATE

AGRICULTURE AND SMALL BUSINESS COMMITTEE

DATE Thursday, March 5, 1981 PLACE: Room 423-S

TIME: 10:00 a.m.

GUEST LIST

<u>NAME</u>	<u>ADDRESS</u>	<u>ORGANIZATION</u>
Lois Schenfler	R. 2 Sterling Ph (316) 257-2759	self-farm wife
Michael Slemmon	Topeka	Kansas Railroad Association
D. WAYNE ZIMMERMAN	TOPEKA	THE ELECTRIC CO. ASSOC. OF KS
Fifth Groves	Topeka	River Assn of University of Kansas
Lynda Ryan	Topeka	Am Agriculture Movement
Chris Walker	Mayetta	National Farmers Organization
Mr. & Mrs. Daniel M. Kerr	Hutchinson	None
Mrs. F. H. Kerr	Coats	"
Sam Bennett	Topeka	KCA
John Blythe	Manhattan	K.F.B.
Anne L. Laker	Topeka	E.P. & H. duPont
John D. Miller	Topeka	Comm. of Ks Farm Organization