

Approved 2-20-86  
Date

MINUTES OF THE HOUSE COMMITTEE ON AGRICULTURE AND SMALL BUSINESS

The meeting was called to order by Representative Clifford Campbell at  
Vice-Chairperson

9:00 a.m. ~~p.m.~~ on February 12, 1986 in room 423-S of the Capitol.

All members were present except: Representative Polson who was excused.

Committee staff present:

Raney Gilliland, Legislative Research Department  
Norman Furse, Revisor of Statutes Office  
Mary Jane Holt, Committee Secretary

Conferees appearing before the committee:

Representative Apt moved to approve the minutes of January 28, 1986.  
Representative Buehler seconded and the motion passed.

The subcommittee report on H.B. 2646 was submitted to the Committee by Representative Clifford Campbell, Representative Don Sallee and Representative Solbach, Attachment I.

Representative Solbach explained the recommendations would change the reporting to the Secretary of the State Board of Agriculture from the County Attorney and that the report be made within 60 days after the date of the discovery of possible pesticide damage. Failure to notify would result in a rebuttable presumption that the damage was not caused by the pesticide application. The Secretary of the State Board of Agriculture would be required to notify the pesticide applicator, if known. The subcommittee also recommended adding language to make it clear that failure to report would not be a violation of the Kansas Pesticide Law and would not preclude civil or criminal action. The subcommittee recommended a substitute bill be prepared.

Representative Solbach moved to approve the subcommittee report.  
Representative Apt seconded the motion. The motion passed.

The Committee meeting was adjourned at 9:30 a.m.

The next meeting will be at 9:00 a.m., Thursday, February 13, 1986, in Room 423-S.

CLIFFORD V. CAMPBELL  
REPRESENTATIVE, 106TH DISTRICT  
LINCOLN, MITCHELL, AND PARTS OF  
CLOUD, OTTAWA, ELLSWORTH AND  
RUSSELL COUNTIES  
ROUTE 3  
BELOIT, KANSAS 67420



TOPEKA

HOUSE OF  
REPRESENTATIVES

COMMITTEE ASSIGNMENTS  
VICE CHAIRMAN: AGRICULTURE AND SMALL  
BUSINESS  
MEMBER: JOINT COMMITTEE ON SPECIAL  
CLAIMS AGAINST THE STATE  
COMMUNICATIONS, COMPUTERS  
AND TECHNOLOGY

SUBCOMMITTEE REPORT  
ON H.B. 2646

2/12/86

Mr. Chairman, your subcommittee on H.B. 2646 makes the following recommendations for legislative policy:

1. Require reporting to the Secretary of the State Board of Agriculture within 60 days (note: the 60-day period following application is consistent with the field re-entry and pre-harvest intervals established by the U. S. Environmental Protection Agency for most pesticides.) after the date of the discovery of possible pesticide damage.
2. Failure to notify will result in a rebuttable presumption that the damage was not caused by the pesticide application.
3. The Secretary of the State Board of Agriculture, upon notification of possible pesticide damage, would be required to notify the pesticide applicator involved, if known.
4. Add language that makes it clear that failure to report is not a violation of the Kansas Pesticide Law and that failing to report does not preclude the maintenance of any civil or criminal action.

The Committee recommends a substitute bill to accomplish these concepts.

Respectively submitted,

*Rep. Clifford V. Campbell*  
Rep. Clifford V. Campbell

*Rep. Don Sallee*  
Rep. Don Sallee

*Rep. John Solbach*  
Rep. John Solbach

CVC:RLG:pb

Attachment 1  
2-12-86 Hs. ASB