

Approved April 1, 1986
Date

MINUTES OF THE HOUSE COMMITTEE ON AGRICULTURE AND SMALL BUSINESS

The meeting was called to order by Lloyd D. Polson at
Chairperson

9:00 a.m. ~~p.m.~~ on March 26, 1986 in room 423-S of the Capitol.

All members were present except: Representatives Goossen, Rezac and Teagarden who were 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:

Senator Gerald Karr
Beverly Bradley, Kansas Association of Counties
Harland Priddle, Secretary, Kansas State Board of Agriculture
Dave Jackson, Corps of Engineers
Dr. A. T. Kimmell, Livestock Commissioner, Animal Health Department
Rich McKee, Kansas Livestock Association

Hearing on S.B. 596-Control of noxious weeds on federal lands.

Senator Karr testified in support of S.B. 596 and expressed concern over the control of noxious weeds on land owner by the federal government, especially around federal reservoirs. He said the enforcement of the noxious weed laws should be well defined, and there are concerns about the effectiveness of the whole noxious weed program throughout the state.

Beverly Bradley testified in support of S.B. 596. She said the counties are willing to cooperate. On line 72 she thought the word "will" should be "may" however, the county weed directors want it to remain "will" to be able to get cooperation, Attachment I.

Harland Priddle testified this bill alone does not accomplish anything without cooperating with the counties and the federal people. The Board of Agriculture plans to visit every federal reservoir in the state and distribute the noxious weed manual, and work with the counties in the reservoir areas. They support S.B. 596.

Dave Jackson testified in support of S.B. 596. They need the cooperation of the county noxious weed supervisors. He said they have limited funds but they use their funds in the major areas where they know there are problems. They question if there is legal authority to come on government land and spray. If the county requested to spray a certain area and had the funds to spray, they would probably be allowed to do so, but they could not reimburse the county.

The hearing on S.B. 596 was closed.

Hearing on S.B. 547-Definition of plant pests to include weeds and micro-organisms.

Harland Priddle testified this bill provides a complete program to deal with weed pests prior to their detection in the state. It allows the ability to quarantine upon detection and take immediate eradication measures and not wait for legislative action, Attachment II.

The hearing on S.B. 547 was closed.

Hearing on S.B. 697-Fees for inspection of animal brands.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON AGRICULTURE AND SMALL BUSINESS,
room 423-S, Statehouse, at 9:00 a.m./~~p.m.~~ on March 26, 1986

Dr. A. T. Kimmell testified the present cost for brand inspection fee is \$.25 per head. They desire to raise the maximum to \$.50, however, they plan to raise the fee charged now from \$.25 to \$.30, Attachment III.

Rich McKee informed the Committee the Kansas Livestock Association supports S.B. 697. If the cost becomes too expensive livestock producers will most likely choose to submit a petition and discontinue county brand inspection and or auction market operators will discontinue the brand inspection program, Attachment IV.

The hearing was closed on S.B. 697.

Representative Solbach moved to pass favorably S.B. 547 and S.B. 697. Representative Roenbaugh seconded and the motion passed.

The Committee meeting was adjourned at 9:35 a.m.

The next meeting will be at 9:00 a.m., Thursday, March 26, 1986, in Room 423-S.

Kansas Association of Counties

Serving Kansas Counties

Suite D, 112 West Seventh Street, Topeka, Kansas 66603

Phone 913 233-2271

March 26, 1986

To: Representative Lloyd Polson
Members House Agriculture & Small Business Committee

From: Beverly Bradley, Legislative Coordinator
Kansas Association of Counties

Re: SB-596 as amended

Good Morning, I am Beverly Bradley, Legislative Coordinator, Kansas Association of Counties. Thank you for allowing me to appear today in support of SB-596 as amended.

You may know that I was a Douglas County Commissioner for 8 years. During that time Douglas County spent a great deal of time and money in the control of noxious weeds. We developed a weed department of which we were proud, but it could not be totally successful.

Clinton reservoir is in Douglas County and there are lots of musk thistles on the area around the lake which is controlled by the Corp of Engineers or the State Fish & Game Department. Our weed director would send notice to a farmer if he had not successfully controlled musk thistles, and many times we were told he could not be successful in his control efforts because of the reseeding from the Corp or Fish & Game land.

I understand this bill does not guarantee control, but at least it would be possible to officially notify the agency of the problem.

Under step 6 on the 2nd page I am somewhat concerned that county weed departments may not be staffed or equipped to the extent necessary to eradicate or control all noxious weeds on these government controlled tracts if that should become necessary. I had wondered if line 0071 might better read "may" instead of "will". After talking to a county weed supervisor, he specified that it should be left "will" if there is any hope of getting the weeds cleared up.

Thank you for your time, I will be happy to stand for questions if that's appropriate.

3-26-86 Hs. ASB
Attachment I

TESTIMONY

on

SENATE BILL 547

to

HOUSE COMMITTEE ON AGRICULTURE AND SMALL BUSINESS

by

HARLAND E. PRIDDLE
SECRETARY
KANSAS STATE BOARD OF AGRICULTURE

March 26, 1986

3-26-86 Hs. A.S.B
Attachment II

Mr. Chairman, the Kansas weed protection program currently is dependent upon the authority provided by the Kansas Noxious Weed Law. This law does not provide us the authority in the areas of survey and detection, exclusion, eradication, or control of any weed not yet established or newly established in the state. The Kansas Noxious Weed Law provides only for control or eradication of those weeds which have been declared noxious by legislative action. Since legislative action to declare a weed noxious does not usually occur until after the weed pest has become established in the state, eradication is usually extremely difficult from a biological or economical standpoint.

The proposed amendments to the Kansas Plant Pest Act before you today provide a complete program to deal with weed pests prior to their detection in the state. It allows us the ability to quarantine upon detection and take immediate eradication measures and not wait for legislative action.

There has been a shift in national and international trade channels to the shipment of plant products and other items in containerized cargo. Products traveling as containerized cargo are difficult if not impossible to inspect at U.S. ports of entry. Consequently, weed seeds and other pests may not be detected until populations start to develop at the destination. We believe that the time to combat a new and potentially noxious weed is when it is still in the form of a few small clumps alongside the airport runway in Wichita or a railroad siding in central Kansas. This amendment to the Plant Pest Act would provide that capability. For these reasons, we recommend you pass Senate Bill 547.

ALLAN T. KIMMELL, DVM
LIVESTOCK COMMISSIONER

STATE OF KANSAS

DAVID A. BREINER
CHAIRMAN, ANIMAL HEALTH BOARD



ANIMAL HEALTH DEPARTMENT
217 EAST 4TH, 4TH FLOOR
TOPEKA, KANSAS 66603-3501
TELEPHONE (913) 296-2326
March 26, 1986

M E M O R A N D U M

TO: Gary Stotts, Acting Director of Budget
FROM: Dr. Allan Kimmell, Livestock Commissioner *AK*
DATE: March 26, 1986
SUBJECT: SB 697

Senate Bill 697 would have no fiscal effect on the Animal Health Department.

The present cost for brand inspection is \$.25 per head. The desired change to \$.50 per head would allow the brand division of the Animal Health Department to match service costs with expenses being incurred.

This legislation would have no impact on the staffing nor increase operating expenditures. It will allow increases to be made as it becomes apparent that the operating expenses are greater than the fee now being collected.

The long range fiscal effect must include being able to provide the service of brand inspection as it may be requested or is now being provided. The 4 counties and 15 livestock markets should realize that if livestock numbers increase and expenses do not, then conceivably, per head fees could be reduced.

3-26-86 Hs. ASB
Attachment III



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Owns and Publishes The Kansas STOCKMAN magazine and KLA News & Market Report newsletter.

TESTIMONY ON BEHALF
OF THE
KANSAS LIVESTOCK ASSOCIATION
IN SUPPORT OF
SB 697 - FEES FOR INSPECTION OF ANIMAL BRANDS
BEFORE THE
HOUSE AGRICULTURAL AND SMALL BUSINESS COMMITTEE
REP. LLOYD POLSON, CHAIRMAN
SUBMITTED BY
MIKE BEAM
EXECUTIVE SECRETARY, COW-CALF/STOCKER DIVISION
MARCH 26, 1986

The Kansas Livestock Association (KLA) is a trade organization made up of approximately 9,000 members located in all of the 105 counties in Kansas. KLA, founded in 1894, has members who are actively involved in numerous aspects of livestock production and include cow-calf/stocker producers, feeders, sheep producers, swine operators and general farming and ranching enterprises. On February 25, 1986, the KLA Board of Directors voted to support SB 697 which would allow the livestock commissioner to collect a fee up to 50¢ per head on cattle which are brand inspected.

Currently brand inspection is conducted in 15 Kansas auction markets and four counties which are designated as "brand inspection areas".

BRAND INSPECTION AREAS

Greeley, Hamilton, Kearny and Wichita counties are the four counties which have been designated as brand inspection areas. KSA 47-435 specifies that the board of county commissioners may designate their county as a brand inspection area if a petition, signed by not less than 51% of resident cattle owners, is filed and requesting that a county be declared a brand inspection area. Likewise, the county commissioners may adopt the resolution declaring that the county is no longer a brand inspection area if a petition with the same majority of cattle owners is filed with the

3-26-86 Hs. ASB
Attachment IV

county commissioners. Cattle owners in brand inspection areas (counties) must operate under certain restrictions when cattle are to be moved within and out of the designated county. KSA 47-441 states that it is unlawful for any person in a brand inspection area, including the owner of the cattle, to move, drive, ship or transport in any manner any cattle from any point in a brand inspection area to any point outside such area other than another brand inspection area. The exception would be if the cattle have first been inspected for brands by the State Brand Commissioner or proper authorities or the cattle are accompanied with a brand inspection certificate. The brand commissioner or proper authorities may give permission for the movement of cattle without inspection when there is no change of ownership; the cattle are shipped to a market where Kansas brand inspection is maintained; or no inspection shall be required when the cattle are being moved from a licensed feedlot.

KSA 47-442 says that it is unlawful for any person in a brand inspection area to move cattle within such area unless the cattle have been first inspected for brands by the brand commissioner or the proper authorities. Exceptions would include when cattle are moved to a market where Kansas brand inspection is maintained; when cattle are moved from a licensed feedlot, except when such cattle are moved to a feedlot, the cattle should be inspected at the time they enter the feedlot. Any person who purchases cattle in a brand inspection area without receiving a bill of sale and brand inspection certificate would be deemed as counselling, aiding and abetting the seller in the unlawful sale of livestock.

INSPECTION AT AUCTION MARKETS

Upon an auction market operator's request the livestock commissioner must supply a brand inspector to their market for the purpose of inspecting brands on all cattle consigned to their market. To date the following 15 Kansas auction markets participate in the brand inspection program. (a list is attached)

The cattle industry is no different than most segments of agriculture and has faced their share of low prices and tough economic times. Because of this situation we have seen a significant decline in the number of cattle in Kansas and nationwide. The number of cattle that move through auction markets has also declined over 17% in the last three years.

Number of Cattle Inspected	Year (FY - fiscal year)
509,895	1982
438,224	1983
472,328	1984
420,000	1985
430,000*	1986

*estimated cattle numbers for FY 1986

Not all cattle owners wish to pay the price for brand inspection on their cattle which are marketed. Producers who market cattle in the 15 auction markets listed above and reside in the four brand inspection counties have chosen to continue this brand inspection program. Since the

number of cattle marketed and revenues are declining it appears the only choice for adequate funding of the brand inspection program is to allow an increase in the brand inspection fee. KLA supports SB 697 which would give the livestock commissioner the statutory authority to increase this fee up to 50¢ per head. It is our understanding that the Kansas Animal Health Department, if this bill passes, will choose to raise this fee to 30¢ per head on January 1, 1987.

Although KLA traditionally has worked towards minimizing production costs for livestock producers, we feel that it is necessary to give the Animal Health Department the flexibility of increasing or decreasing this inspection fee as maybe needed. If the cost becomes too expensive, livestock producers will most likely choose to submit a petition and discontinue county brand inspection and or auction market operators will discontinue the brand inspection program. Again we support SB 697 and I would be happy to respond to any questions or concerns that this committee may have on this issue. Thank you.

15 KANSAS AUCTIONS

Atwood Sale Barn

Colby Livestock Commission, Inc.

Hays Livestock Market Center, Inc.

Hill City Livestock Commission Company, Inc.

Hoxie Livestock Sale

Norton Livestock Auction, Inc.

Oakley Livestock Commission Co., Inc.

Oberlin Livestock Auction, Inc.

Phillipsburg Livestock, Inc.

Plainville Livestock Co., Inc.

Quinter Livestock Commission Co.

Rush County Livestock Sales, Inc.

Russell Livestock Commission Co., Inc.

Ranch-Francis Livestock Market Center

Wakeeney Livestock Commission, Inc.