

MINUTES OF THE Senate COMMITTEE ON Agriculture

The meeting was called to order by Senator Allen at
Chairperson

10:09 a.m. ~~XXX~~ on February 2, 1987 in room 423-S of the Capitol.

All members were present except: Senator Warren (excused)
Senator Karr (excused)

Committee staff present: Raney Gilliland, Legislative Research Department
Jill Wolters, Revisor of Statutes Department

Conferees appearing before the committee: Bob Storey, Kansas Termite and Pest Control
Association
Joe Lieber, Kansas Cooperative Council

Senator Allen called the Committee to order and called on Bob Storey to present a request for legislation.

Mr. Storey requested the Committee request a bill be drafted concerning the requirement to license pesticide applicators that applies only to applicators who work with structural pest control. This requirement would prevent persons that do not know what they are doing from performing these services. He requested that this requirement require the license be renewed every three years.

Senator Gannon made a motion the Committee accept this request for this pesticide applicators license requirement. Senator Arasmith seconded the motion. Motion carried.

The Chairman recognized Senator Gannon.

Senator Gannon requested that a Senate Concurrent Resolution be written that would request financial support from our sister states to help finance the International Grains Program; these states are benefiting from this program which Kansas is financing.

Senator Montgomery made a motion the Committee accept this request for a Senate Concurrent Resolution. Senator Gannon seconded the motion Motion carried.

The Chairman recognized Senator Doyen.

Senator Doyen stated that legislation needed to be written that would require at the time of a land ownership transfer that all bills pertaining to county spraying of noxious weeds should be paid in full.

The Chairman suggested more study needed to be completed before legislation is requested and so more action would be taken at a later date. The Chairman then called attention to Committee minutes for the meetings of January 28 and January 29.

Senator Gordon made a motion the minutes be approved. Senator Doyen seconded the motion. Motion carried.

The Chairman called attention to the balloon copy of SB 3 and called for discussion (attachment 1).

Committee discussion concerned the proposed amendment that would increase the number of organizations that would be eligible to send delegates to the annual meeting of the State Board of Agriculture. Senator Kerr made a motion the Committee accept the new language that would follow in line 48 of the balloon copy of SB 3. Senator Montgomery seconded the motion. Motion carried.

CONTINUATION SHEET

MINUTES OF THE Senate COMMITTEE ON Agriculture,
room 423-S, Statehouse, at 10:09 a.m. ~~4:00~~ on February 2, 1987.

Senator Arasmith made a motion the number in line 52 be changed to read '100'. Senator Doyen seconded the motion. Motion carried.

Senator Arasmith made a motion that in lines 211, 212, 214 and 215 the bill read delegates will be selected by the Kansas Chamber of Commerce and by the Travel Industry Association of Kansas rather than the organizations nominating three and the State Board of Agriculture choosing one from each of the three nominees submitted. Senator Kerr seconded the motion. Motion carried.

The Chairman called attention to the change in lines 219 and 222. Senator Montgomery made a motion that in those lines the words 'state fair board' be accepted to replace the deleted words. Senator Doyen seconded the motion. Motion carried.

Copies of a suggested amendment by the State Board of Agriculture were handed to Committee members (attachment 2). Senator Doyen made a motion the sentence as written on the handout be accepted as an amendment to SB 3. Senator Thiessen seconded the motion. Motion carried.

After Committee discussion on the issue of whether the Secretary of the State Board of Agriculture should be confirmed by the Senate or not and if the secretary should be confirmed for each elected term or if only the first time elected. Senator Norvell made a conceptional motion that the revisor amend the bill so that it reads 'every newly elected Secretary of Agriculture be confirmed'. Senator Doyen seconded the motion. Motion carried.

The Chairman called on Joe Lieber to comment on SB 3.

Mr. Lieber stated that since the Kansas Cooperative Council had reorganized and now has only 8 Kansas co-op council districts that the number should be changed in line 37 to read 8.

Senator Gannon made a motion the Committee request the bill be written to show 8 Kansas co-op council districts in line 37. Senator Kerr seconded the motion. Motion carried.

Senator Kerr made a motion the Committee recommend SB 3 favorably for passage as amended. Senator Gannon seconded the motion. Motion carried.

The Chairman adjourned the Committee at 10:46 a.m.

SENATE BILL No. 3

By Senator Allen

12-18

0016 AN ACT concerning the state board of agriculture; amending
0017 K.S.A. 74-502, 74-503 and 74-520 and repealing the existing
0018 sections.

0019 *Be it enacted by the Legislature of the State of Kansas:*

0020 Section 1. K.S.A. 74-502 is hereby amended to read as fol-
0021 lows: 74-502. (a) The farm organizations specified in this sub-
0022 section, whether now organized or hereafter to be organized
0023 under the laws of Kansas, shall be allowed to select delegates for
0024 attendance at the annual meeting of the state board of agricul-
0025 ture. The delegates shall be selected in accordance with the
0026 following:

- 0027 (1) One from each county or district agricultural society
0028 composed of one or more counties;
- 0029 (2) one from each state fair or statewide fair;
- 0030 (3) one from each county farmers' institute;
- 0031 (4) one from each county farm bureau association with a
0032 voting membership of not less than 100;
- 0033 (5) one from each county farmers' union with a voting mem-
0034 bership of not less than 100;
- 0035 (6) one from each county grange with a voting membership of
0036 not less than 100;
- 0037 (7) one from each of the nine Kansas co-op council districts
0038 with member co-ops composed of producer membership of not
0039 less than 100;
- 0040 (8) one member of the Kansas livestock association from each
0041 county in which the Kansas livestock association has a voting
0042 membership of not less than 100;
- 0043 (9) one from each county national farmers' organization with
0044 a voting membership of not less than 100;

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0045 (10) one from each association of statewide character repre-
0046 senting a particular kind or a particular breed of livestock; and
0047 (11) one from each association of a statewide character for
0048 promotion of a farm crop or crops.

0049 (b) In addition to the delegates provided for in subsection (a)
0050 of this section, one individual from each of the counties may
0051 attend the annual meeting of the state board of agriculture as a
0052 delegate, if a petition is signed by not less than ~~150~~ 50 qualified
0053 electors of the county who are agricultural producers or land-
0054 owners and who are not voting members of the farm bureau
0055 association, farmers' union, grange, national farmers' organiza-
0056 tion or Kansas livestock association or who are voting members
0057 of any such farm organization which has a voting membership of
0058 less than 100. Agricultural producers and landowners shall be
0059 those persons who are qualified to vote in the agricultural stabi-
0060 lization and conservation service's county elections. No person
0061 shall sign more than one petition. A petition shall not be filed
0062 with the county election officer prior to September 1 of each
0063 year. The county election officer shall submit to the secretary of
0064 the state board of agriculture on or before the first Friday fol-
0065 lowing the second Tuesday of December of each year, the
0066 individual named as a delegate on the first petition which is
0067 filed. In addition to the foregoing, the county election officer
0068 shall certify to the secretary the sufficiency of each signature as
0069 to the qualification of the individual as an elector of the county
0070 and that the number of signatures on the petition has been
0071 determined to be in accordance with the provisions of this
0072 subsection.

0073 (c) In order to be eligible to send, or to participate by petition
0074 in the sending of, a delegate to the annual meeting of the state
0075 board of agriculture, each of the farm organizations shall have:
0076 (1) Duly elected officers; (2) held meetings; (3) carried on the
0077 work as provided for in the constitution and bylaws adopted by
0078 the organization; (4) filed a copy of the constitution and bylaws
0079 with the secretary of the state board of agriculture; (5) annually
0080 certified the above facts; (6) within three days after the election
0081 furnished, in writing on blanks furnished by the secretary of the

; and

(12) one from each nonprofit association,
with a voting membership of not less than 100,
of statewide character for the promotion or
representation of a specific industry in agri-
business. For the purposes of this subsection,
agribusiness means suppliers of goods or
services used in the farming operation as
defined in K.S.A. 1986 Supp. 2-3402, and
amendments thereto. Each delegate authorized
under this subsection shall be directly
involved in the industry of agribusiness
represented

0119 plies with the provisions of this act and holds fairs of acceptable
0120 character, and, moreover, any county or district agricultural so-
0121 ciety that has failed or fails to hold a fair for two consecutive
0122 years shall lose its representation with the state board of agri-
0123 culture, and its place may be taken by another society which
0124 shall have fulfilled the requirement of this act. Each county or
0125 district agricultural society herein mentioned which shall have
0126 held a fair for the current year, offered and awarded premiums
0127 for the improvement of stock, tillage, crops, implements, me-
0128 chanical fabrics and articles of domestic industry, shall make out
0129 a statement containing a synopsis of awards, moneys received,
0130 assets and liabilities, and an abstract of the treasurer's account,
0131 duly signed and certified by its officials. The statement shall be
0132 forwarded by mail or otherwise to the secretary of the state board
0133 of agriculture on or before the first Friday following the second
0134 Tuesday of December of each year.

0135 Sec. 2. K.S.A. 74-503 is hereby amended to read as follows:
0136 74-503. It shall be the duty of the officers and the members of the
0137 state board of agriculture, together with so many of the autho-
0138 rized delegates as shall be in attendance, to meet at the capital of
0139 the state on the second Wednesday of January of each year, and
0140 proceed to elect two members of the board from each agricultural
0141 district hereinafter established, who shall constitute the state
0142 board of agriculture. For the purpose of appointment and tenure
0143 of office of the state board of agriculture, the state is hereby
0144 divided into six agricultural districts, which shall be constituted
0145 as follows:

0146 First district, the counties of Marshall, Nemaha, Brown, Don-
0147 iphan, Pottawatomie, Jackson, Atchison, Shawnee, Jefferson,
0148 Leavenworth, Wyandotte, Osage, Douglas, Franklin and John-
0149 son.

0150 Second district, the counties of Miami, Coffey, Anderson,
0151 Linn, Woodson, Allen, Bourbon, Wilson, Neosho, Crawford,
0152 Montgomery, Labette and Cherokee.

0153 Third district, the counties of Republic, Washington, Cloud,
0154 Clay, Riley, Ottawa, Dickinson, Geary, Wabaunsee, Saline,
0155 Morris, McPherson, Marion, Chase and Lyon.

0156 Fourth district, the counties of Ellsworth, Rice, Reno, Harvey,
0157 Butler, Greenwood, Kingman, Sedgwick, Harper, Sumner,
0158 Cowley, Elk and Chautauqua.

0159 Fifth district, the counties of Greeley, Wichita, Scott, Lane,
0160 Ness, Rush, Barton, Hamilton, Kearny, Finney, Hodgeman,
0161 Pawnee, Stafford, Stanton, Grant, Haskell, Gray, Ford, Edwards,
0162 Kiowa, Pratt, Morton, Stevens, Seward, Meade, Clark, Co-
0163 manche and Barber.

0164 Sixth district, the counties of Cheyenne, Rawlins, Decatur,
0165 Norton, Phillips, Smith, Jewell, Sherman, Thomas, Sheridan,
0166 Graham, Rooks, Osborne, Mitchell, Wallace, Logan, Gove,
0167 Trego, Ellis, Russell and Lincoln.

0168 Members shall be elected for terms of three years, except that
0169 of the successors to the members from the second district whose
0170 terms expire in 1985, one member shall be elected for a term of
0171 one year and one member for a term of three years at the meeting
0172 in January, 1985; of the successors to the members from the third
0173 district whose terms expire in 1986, one member shall be elected
0174 for a term of one year and one member for a term of three years at
0175 the meeting in January, 1986. Nothing herein shall affect the
0176 terms of the members of the board in office on the effective date
0177 of this act and they respectively shall hold office for the terms for
0178 which they were respectively elected, except that the successor
0179 of one of the members from the second district whose term
0180 expires in 1985 shall be elected from the fifth district at the
0181 meeting in January, 1985, for a term of three years. At the
0182 expiration of the terms of these members, succeeding members
0183 shall be elected from their designated districts for terms of three
0184 years, or until their successors are elected and qualified. The
0185 members shall elect from their number a president, vice-presi-
0186 dent and treasurer for a term of one year. The secretary of the
0187 board shall be elected by the members of the board for a term of
0188 two years. *Every secretary of the state board of agriculture*
0189 *elected on or after the effective date of this act shall be elected*
0190 *subject to confirmation by the senate as provided in K.S.A.*
0191 *75-4315b and amendments thereto.* The secretary of the state
0192 board of agriculture shall prepare for the annual meeting a

0193 program of speakers, or other features calculated to be of value in
 0194 promoting the state's agricultural industry, the annual meeting to
 0195 continue in session until such time as the business requiring
 0196 attention shall have been completed. The annual meeting shall
 0197 not remain in session for more than three days. Each delegate to
 0198 the annual meeting of the state board of agriculture and each
 0199 officer and member of the state board of agriculture shall be
 0200 entitled to one vote in all business coming before the annual
 0201 meeting. The actual traveling and hotel expenses of each officer
 0202 and member of the state board of agriculture, of each speaker to
 0203 appear before the meeting, and all other actual expenses contin-
 0204 gent to the holding of the annual meeting, shall be paid out of the
 0205 treasury of the state of Kansas, in a sum not to exceed \$10,000
 0206 annually.

0207 Sec. 3. K.S.A. 74-520 is hereby amended to read as follows:
 0208 74-520. Immediately upon the taking effect of this act, (a) The
 0209 state board of agriculture, with its secretary, the secretary of the
 0210 state board of agriculture, one individual appointed for a term
 0211 of three years ~~by the state board of agriculture from a list of~~
 0212 ~~three nominees submitted by the Kansas chamber of commerce~~
 0213 ~~and industry, one individual appointed for a term of three years~~
 0214 ~~by the state board of agriculture from a list of three nominees~~
 0215 ~~submitted by the travel and industry association of Kansas and~~
 0216 one individual appointed for a term of three years by the Kansas
 0217 technology enterprise corporation from among the board of
 0218 directors of the Kansas technology enterprise corporation shall
 0219 constitute the board of state fair managers.

0220 (b) Any vacancy occurring in a position on the board of state
 0221 fair managers appointed by the state board of agriculture or by
 0222 the Kansas technology enterprise corporation shall be filled in
 0223 the same manner in which the original appointment was made.

0224 Sec. 4. K.S.A. 74-502, 74-503 and 74-520 are hereby re-
 0225 pealed.

0226 Sec. 5. This act shall take effect and be in force from and
 0227 after its publication in the Kansas register.

state fair board

PROPOSED AMENDMENT TO SENATE BILL 3
TO AUTHORIZE ELECTIONS BY SECRET BALLOT

Amend Section 2 of Senate Bill 3 by inserting this sentence after the period
in line 142.

"Notwithstanding the provisions of K.S.A. 1986 Supp. 75-4318 and amendments
thereto, board members may be elected by secret ballot."

attachment 2
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2-2-87