

MINUTES OF THE Senate COMMITTEE ON AgricultureThe meeting was called to order by Senator Allen at
Chairperson10:09 a.m. ~~XXX~~ on March 4, 1987 in room 423-S of the Capitol.All members were present ~~except~~:Committee staff present: Raney Gilliland, Legislative Research Department
Jill Wolters, Revisor of Statutes DepartmentConferees appearing before the committee: Adrian Polansky, Kansas Wheat Commission
Galen Swenson, Administrator, Corn, Grain Sorghum,
Soybean Commissions
Wilbur Leonard, Committee of Farm Organizations
Sam Brownback, Secretary of State Board of Agri-
culture
Barbara Wenger, President, Oberlin, Decatur Area
Economic Development Corp
Robert Finkbiner, City Administrator, Oberlin, Ks.
Marc Johnson, Ag Economics, Kansas State University
John Stitz, Kansas Catholic Rural Life Office
Paul Fleener, Kansas Farm Bureau
Harland Priddle, Secretary of Commerce
Harold Stones, Kansas Bankers Association
Tony Redwood, Professor of Business, Kansas
University
Deanna Fuller, Director of Economic Development,
Clay Center
Ronald Schneider, The Kansas Rural Center
Charles Hamon, Kansas Soybean Commission

Senator Allen called the meeting to order and called attention to the copies that were earlier requested of the budget and information concerning the Plant Health Division. Dale Lambley provided a copy for each Committee member (attachment 1). The Chairman turned the Committees' attention to SB 277 and called on Steven Graham.

Mr. Graham introduced Adrian Polansky who gave copies of his testimony to the Committee (attachment 2) and then expressed support for SB 277. Mr. Polansky explained that the Wheat Commission would benefit by the passage of this bill due to the resulting savings in personnel time and the State would benefit from the savings in both the time and money it takes to process the refund checks of under \$5.

The Chairman thanked Mr. Polansky and called on Galen Swenson to testify.

Mr. Swenson handed the Committee copies of his testimony (attachment 3). Mr. Swenson encouraged passage of SB 277 because of the cost and time savings to his commission and the state governmental services.

The Chairman thanked Mr. Swenson and called on Wilbur Leonard to testify.

Mr. Leonard expressed support for SB 277. He stressed the refunds of less than \$5 are insignificant as compared to the savings in administrative costs to make the small refunds. Mr. Leonard encouraged the Committee to pass SB 277 favorably.

The Chairman thanked Mr. Leonard and declared the hearing closed for SB 277; he turned the Committees' attention to SB 295 and called on Sam Brownback to testify.

CONTINUATION SHEET

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

Mr. Brownback gave the Committee copies of his testimony (attachment 4) and requested the Committee give favorable consideration to SB 295.

The Chairman thanked Mr. Brownback and called on Harland Priddle to testify.

Mr. Priddle expressed approval of the plan for creating a blueprint for Kansas agriculture study. He stressed the need for the state to learn how agriculture can move forward; he stressed using Kansas State for information and other state schools. Mr. Priddle stated the Department of Commerce will be ready to help in any way requested. Mr. Priddle encouraged support for SB 295 as Agriculture is the major economy of the State of Kansas.

The Chairman thanked Mr. Priddle and called on Barbara Wenger to testify.

Ms. Wenger expressed the need to know how and where to find markets for agricultural products. She stated that in her area some diversification in agriculture had been tried but that it had been hard to get information about possible markets; she encouraged passage of SB 295 which if carried out would provide helpful information the like of which they had tried to receive earlier. Ms. Wenger introduced Robert Finkbiner and gave a statement to the Committee which expressed the desire of both she and Mr. Finkbiner for the passage of SB 295 (attachment 5). Mr. Finkbiner also encouraged passage of SB 295 which would gather information helpful to Kansas agriculture.

The Chairman thanked Mr. Finkbiner and Ms. Wenger for their efforts in travelling a great distance to present their testimony; he then called on Adrian Polansky to testify.

Mr. Polansky gave copies of his testimony representing two groups to the Committee (attachments 6 and 7). He stressed the need for passage of SB 295 in order to receive ideas for positive changes for our agricultural economy.

The Chairman thanked Mr. Polansky and called on Marc Johnson to testify.

Mr. Johnson gave the Committee copies of his testimony (attachment 8) Mr. Johnson expressed support for the plan proposed in SB 295 which will, if passed, provide information for those working for the economic development of Kansas. He stated the faculty at Kansas State are ready to participate in the plan. Mr. Johnson encouraged passage of the plan, "Creating a Blueprint for Kansas Agriculture Study".

The Chairman thanked Mr. Johnson and called on Deanna Fuller.

Ms. Fuller gave a copy of her testimony to the Committee members (attachment 9) and then expressed support and encouraged passage of SB 295.

The Chairman thanked Ms. Fuller and called on John Stitz to testify.

Father Stitz handed copies of his testimony to the Committee (attachment 10) and encouraged passage of SB 295.

The Chairman thanked Father Stitz and called on Paul Fleener to testify.

Mr. Fleener gave copies of his testimony to the Committee (attachment 11) and stressed that agriculture must be a part of any economic package of study for Kansas. He stressed the need to use Kansas State for the help they will be able to provide. Mr. Fleener requested the Committee consider SB 295 favorably.

CONTINUATION SHEET

MINUTES OF THE Senate COMMITTEE ON Agriculture,
room 423-S, Statehouse, at 10:09 a.m. ~~XXX~~ on March 4, 19 87

The Chairman thanked Mr. Fleener and called on Harold Stones to testify.

Mr. Stones gave copies of his testimony to the Committee (attachment 12) and expressed support for an economic study focusing on the agriculture and agriculture-related economy of Kansas.

The Chairman thanked Mr. Stones and called on Ronald Schneider to testify.

Mr. Schneider stated that SB 295 presents a comprehensive approach for helpfulness to the agriculture economy of our state. He expressed the need to accept input for this study from the various groups and organizations within our state and also stated he felt all the state universities would have helpful information for such a study. Mr. Schneider expressed support for SB 295.

The Chairman thanked Mr. Schneider and called on Charles Hamon to testify.

Mr. Hamon gave copies of his testimony to the Committee (attachment 13) and expressed support for the proposed study in SB 295. He stated this study would benefit the soybean producers and their commission will help support the study if SB 295 is passed.

The Chairman thanked Mr. Hamon and called on Tony Redwood to testify.

Mr. Redwood expressed support for SB 295 and said that the "Redwood-Krider" study had not included agriculture because they felt that could be done better on the federal level. He expressed the hope that the proposed study creating a blueprint for Kansas agriculture would show how agriculture can be pro-active in our state. He expressed the need for product development centers to be created. He encouraged that within the study other states be looked at to see what is being done in order for Kansas to know what needs to be done so that Kansas can catch up with the other states.


During Committee discussion Mr. Brownback stated that \$40,000 is requested from the State to fund SB 295. Committee comments suggested that section one should be eliminated from SB 295 as that section is too negative. It was stated that most farmers are involved in federal programs and doubt was expressed that probably SB 295 would do nothing to help Kansas' farmers.

The Chairman adjourned the Committee at 11:00 a.m.

March 4, 1987

Attached is additional information re. SB 282 - increase of fees. Besides budget copies, I have also included an issue paper which was prepared some time ago. This issue paper asked for new positions, but also includes some historical information which I think may be of aid to you.

If you have additional questions, please do not hesitate to contact me or any of the members of my staff. I am scheduled to be attending the Annual Weed Conference today and tomorrow (March 4 & 5) and can be reached at the Downtown Ramada. Also Alex Hawkins or Jon Flint will be in the Plant Health Division office and can help you should you desire further information.


Dale Lambley, Director
Plant Health Division

*attachment 1
Senate Agriculture
3-4-87*

PESTICIDE REGISTRATION SECTION

This section of the division currently consists of 1 administrator, 2 field ecological specialists, and 2 clerical persons. At this level of staffing, we are able to meet all of this section's delegations to the Federal Enforcement Grant and perform approximately 70% of an optimum state registration and inspection program. This section administers the Agricultural Chemical Act; and the Pesticide Dealer Registration, and Bulk Pesticide Storage portions of the Kansas Pesticide Law.

The Agricultural Chemical Act was considered at inception as a consumer protection law designed primarily with two (2) goals in mind: (1) to insure that all pest control chemicals sold within the state had upon their containers adequate directions for safe use of the product; and (2) to insure that chemicals in the containers were of the same weight, constituents and concentrations as listed on the label. Amendment of the Federal Insecticide, Fungicide and Rodenticide Act in 1976 and subsequent assumption of state primacy by Kansas have substantially increased the workload of the state's registration program during recent years. Current primary workload areas performed by this section are as follows:

1. State pesticide registration and sampling;
2. Section 24c (Special Local Need) registrations;
3. Section 18 (Specific Exemption) registrations;
4. Producer establishment inspections;
5. Pesticide dealer registration;
6. Inspection of dealer sales of restricted use pesticides;
7. Bulk pesticide storage.

Currently, the state registration enforcement program operates at rather minimal levels with a total of one man year devoted to the annual conduct of approximately 600 marketplace inspections. An average of 4 hours is required for conduct of each inspection by individual field inspectors new to the program. After an initial training period in which the inspector becomes familiar with products registered by the state, time requirements drop to approximately 2 hours per inspection provided that field personnel conducting the inspection remain consistently involved with this type of work. Retail and wholesale pesticide markets inspected are highly varied and include wholesale agricultural chemical dealers, garden centers, grocery stores, veterinary suppliers, pest control suppliers, hardwares, discount stores, janitorial suppliers, restaurant suppliers, swimming pool suppliers, hospitals, mortuaries and others. Samples for laboratory analysis are taken of all non-registered products found in the marketplace. Additionally, routine samples are taken of products registered by the state to determine product quality and adherence to labeling. To facilitate laboratory analysis, the division's program of sampling of registered products is accomplished according to an established schedule.

During marketplace inspections, these ecological specialists also examine products for violation of federal statutes regarding pesticide registration, labeling, sale of cancelled or suspended products and compliance with child-proof packaging requirements. As of this date, there are approximately 8,000 labels by 700 companies registered for sale within Kansas.

The program of inspection of establishments of Kansas pesticide producers is conducted under EPA grant agreement. All information gathered during inspections is submitted to EPA for review and/or federal enforcement action. In general terms, this involves the inspection of facilities and pesticide products held by specific EPA identified producers operating within the state. Enforcement grant agreements require the division to accomplish an average of fourteen (14) such inspections per year. Division records indicate that the average time spent by field inspectors in conduct of these inspections is 13.5 hours per establishment.

The program of inspection of sales records of dealers handling restricted use pesticides is also conducted under EPA grant agreement and auspices of the Kansas Pesticide Dealer Registration regulations. Inspections are conducted under a specific inspection scheme designated by EPA. During inspections, sales records are randomly checked to determine sales of restricted use products. Persons recorded as purchasing products are then investigated to determine certification status. Dealer record inspections total 32 to 40 per year. These inspections require an average of 6.3 hours per dealer.

These positions are also responsible for inspection of bulk pesticide storage facilities. This is primarily a safety program designed to ensure that facilities having large amounts of pesticides on hand can contain same in case of tank rupture or similar accidental discharge. Since this is a relatively new program, much of the current field staff time is devoted to aiding and advising those firms who are attempting to comply with the law. Average time spent by field inspectors in conduct of these inspections is approximately 3 hours per facility.

Impact FY 1988 Levels A and B:

Financing of the pesticide use subprogram at Budget Level A or B will result in the loss of one (1) position in this section. The registration section ecological specialist proposed to be cut in FY 1988 currently performs state and federal inspections of the above programs in 56 counties. Obligated grant inspections include:

- 7 Pesticide Producer Establishment Inspections
- 16 Restricted Use Pesticide Dealer Inspections
- 125 Marketplace Inspections

An additional 175 state marketplace inspections are performed each year. This person also conducts field programs pertaining to pesticide dealer registrations (approximately 1,000) and the bulk pesticide storage and safety program, of which numbers have not yet been established. The loss of this person to program output would result in one-half of the total federal grant outputs assigned to this program not being accomplished with an expected proportionate share of federal funding being lost; or to concentrate on accomplishing the federal outputs at the expense of state program needs. For example, if one position is deleted, the obvious reduction in output accomplishments will be slightly greater than 50% due to one person having to work/travel statewide as opposed to one-half the state under the current staff compliment of two field persons.

In summary, this ecological specialist performs marketplace inspections and product sampling (both federal and state), pesticide dealer registration and inspections, bulk pesticide storage facility inspections, and cross-utilization of outputs of pesticide use program ecos in areas of use/misuse inspections and sampling.

PESTICIDE USE SECTION

The Division of Plant Health of the Kansas State Board of Agriculture is also responsible for enforcement of the Kansas Pesticide Law as it applies to the certification of applicators of restricted use pesticides and to the licensing of pest control firms. The law requires pest control firms to be licensed and insured and sets minimum standards for performance. As of October 1, 1986, pest control businesses licensed to operate within Kansas numbered 999. Inspectors from the division investigate consumer complaints of alleged misuse of pesticides, pesticide drift, poisoning of non-target organisms and pest control fraud.

The Kansas Pesticide Law also requires the testing and certification of all individuals using a class of pesticides termed restricted use pesticides. The law also establishes two (2) types of applicators (private and commercial) and sets forth specific categories of commercial applicators. As of September 29, 1986 there were 3,563 commercial and 22,277 private applicators certified for pesticide use in Kansas.

Investigators investigate consumer complaints and must gather unbiased evidence to determine if pesticide applicators and businesses have complied with all requirements of the Kansas Pesticide Law. They routinely check businesses involved in pest control to make sure they are licensed and kept informed of pertinent regulatory statutes. Investigators periodically sample applicators' spray tanks to see that pesticides are being diluted according to label instructions. They often are required to testify in both civil and criminal court cases involving commercial pesticide applicators.

The 1985 Session of the Kansas Legislature enacted the Kansas Chemigation Safety Law (K.S.A. 2-3301 et seq.) to protect the state's groundwater resources. Persons who apply pesticides, fertilizers or other chemicals through their irrigation systems are required to register with the Board of Agriculture, install certain anti-pollution devices in their irrigation systems, and maintain records of all chemicals applied by "chemigation." Salary and travel funds were appropriated for only one field investigator to administer this program even though it involves an estimated 1,200 persons and 9,000 wells.

Impact FY 1988 Level A and B:

Financing of the pesticide use subprogram at budget levels A or B will result in the loss of three (3) positions in this section. The duties assigned to those positions are outlined below.

One of the ecological specialist positions was the only one added by the 1985 Session of the Legislature to enforce the newly enacted Chemigation Safety Law, and the position is currently assigned statewide responsibility for chemigation. Responsibilities include:

1. Participation in training sessions for persons who apply pesticides, fertilizers or other chemicals through their irrigation systems;
2. Preparation of semi-annual newsletter for chemigators;
3. Inspection of chemigation systems to assure compliance;
4. Investigation of all reported spills and/or accidents and all reported cases of alleged pesticide misuse involving chemigation.

This position also maps locations of permitted chemigation wells and performs irrigation well water sampling to monitor groundwater quality. Loss of this position will essentially eliminate enforcement of the Chemigation Safety Law. If the law is not enforced, it should be repealed.

The Division of Plant Health currently employs 8 ecological specialists who are responsible for investigating all cases of alleged pesticide misuse (other than those involving chemigation). These employees also conduct on-site inspections where pesticides are being applied, check pesticide applicator records, pesticide storage and disposal practices, as well as business license and certification status to determine compliance with the Kansas Pesticide Law (K.S.A. 2-2438a et seq.). They also administer commercial pesticide applicator certification examinations.

Loss of two of these positions (25% of current staff assigned to this work) will result in slower response time in pesticide misuse investigations. Since many herbicide residues are not detectable after a relatively short time (1 to 2 weeks), investigation of alleged pesticide misuse involving herbicide drift damage to field crops and ornamental plantings will have to be discontinued. Every effort will be made to meet the output requirements of the agency's \$176,000 pesticide enforcement grant from the U.S. Environmental Protection Agency. However, the loss of 25% of the field staff working in this area of responsibility would make these outputs difficult to attain given EPA criteria for timely response. Failure to achieve the required outputs is likely to jeopardize funding from EPA in support of this program.

Responsibilities of the four (4) positions impact the citizens of the state by ensuring safety in the storage and use of pesticides, assuring pesticide product ingredients are as stated on labeling and that products are properly registered for consumer use.

ISSUE PAPER

I. Issue/Problem Definition

Is the pesticide use regulatory/safety program as operated by the State of Kansas sufficient to assure the proper use of pesticides and provide adequate public safety?

II. Background

Three (3) statutes provide the foundation for the Kansas pesticide use regulatory and safety program. The Kansas Pesticide Law (K.S.A. 2-2438 et. seq.) was enacted in 1976 in response to a growing public recognition of the potential hazards, in addition to benefits, inherent in pesticide use in our homes, the workplace and on farms. The primary goal of this law was to control the methods of utilization of pesticides and thereby provide for environmental and human safety. Pesticide use is regulated through the education, testing and certification of pesticide users, licensing of pesticide applicator businesses, compliance inspection of pesticide applicator techniques and methods, and prosecution of pesticide misuse violations.

The issue of safe use of pesticides has become one of national concern. Concurrent with increases in numbers of applicators and volumes of chemicals applied has come increased scientific and public recognition of health and environmental hazards resulting from applications. A relatively recent discovery is that of percolation of pesticides through the soil to contaminate groundwater supplies. As a consequence of this finding, many pesticides will in the future be limited to use only upon certain soil types. Pesticide use is becoming increasingly technical as is pesticide enforcement.

In the urban setting, cases of alleged pesticide misuse reported to the Kansas State Board of Agriculture are increasing in number concurrent with increased pesticide use, numbers of commercial pest control businesses and higher public awareness of potential safety hazards. Complexity of investigations is also increasing. For example, the increased use of "tank mixtures" in agricultural production and the need for testing of pesticide contaminants present in the air in homes and in the workplace following structural pest control activities have substantially increased both the complexity and time required for conduct of pesticide enforcement investigations and action. Additional case load is created through referrals from the Environmental Protection Agency regional office in Kansas City.

A second law, the Kansas Agricultural Chemical Act (K.S.A. 2-2201 et. seq.), was designed to provide public safety and consumer protection by insuring that all pesticides sold within the state had adequate directions for safe use and by requiring that chemicals in individual containers were identical to those advertised on the label. To enforce the law, an adequate program of inspection and sampling of pesticides sold in the marketplace must be maintained. Retail and wholesale pesticide markets which must be inspected are highly varied and include wholesale agricultural chemical dealers, garden centers, grocery stores, veterinary suppliers, discount stores, hardwares and restaurant and swimming pool suppliers. To provide maximum efficiency, inspectors conducting the marketplace inspection program also check for compliance with pesticide

dealer registration requirements. Consequently, retail shelves are also examined for products found harmful and banned from sale by the U.S. Environmental Protection Agency. Workload in this area has increased substantially, primarily as a consequence of two (2) factors:

1. Growing numbers of pesticide manufacturers and retail outlets. Pesticide manufactures registering products for sale in Kansas have increased from 187 in 1948 to 835 in 1986, for example.
2. Increased EPA action to suspend, cancel or amend labeling of pesticides.

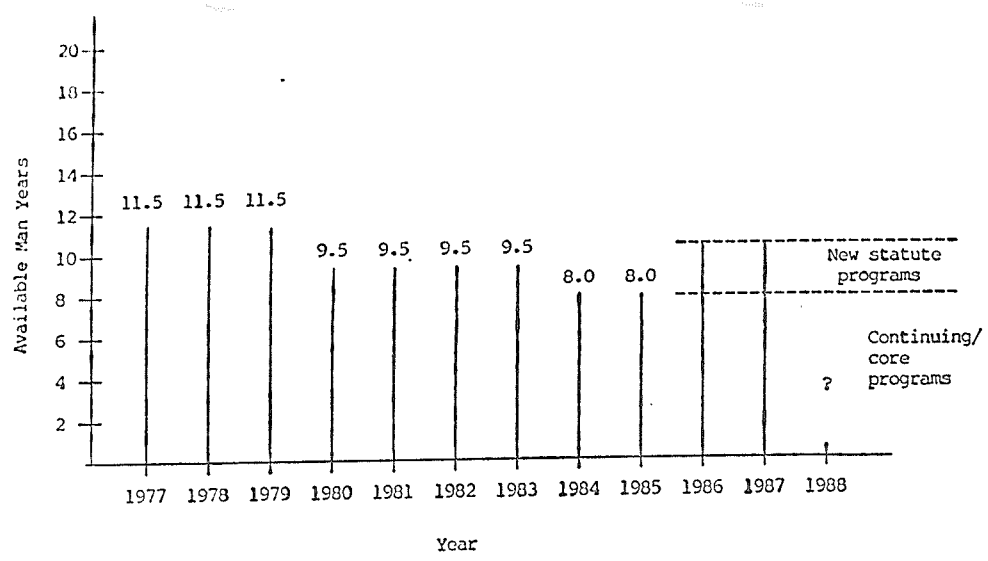
The third and most recent addition to the pesticide use regulatory/safety program in Kansas is the Chemigation Safety Law. This statute requires proper use of safety devices in irrigation systems to prevent contamination of our public groundwater supplies. This is a new program which was not provided sufficient field staffing (1 position to inspect 9,000 wells). Consequently, this agency can provide little enforcement and little in the way of advice and assistance to permit holders as required by the statute.

While work requirements of the pesticide use regulatory/safety program have increased substantially over the last several years, personnel numbers have not kept pace. In fact, positions provided to conduct the overall program have actually declined throughout the last ten (10) year period. Workload vs. positions available for the operation of the pesticide use regulatory/safety program from 1979 to 1986 is presented in graphic form in Figure 1. In brief, the original core of the program (Ag Chemical Act, Kansas Pesticide Law) has seen the reduction of field positions from 11½ in 1978 to 8 in 1986. The program has suffered accordingly. For example, the Kansas Pesticide Law field program now consists of little beyond investigation of reported misuse cases. Current field staffing levels are no longer sufficient to offer organized aid to applicators in the areas of prevention and compliance education.

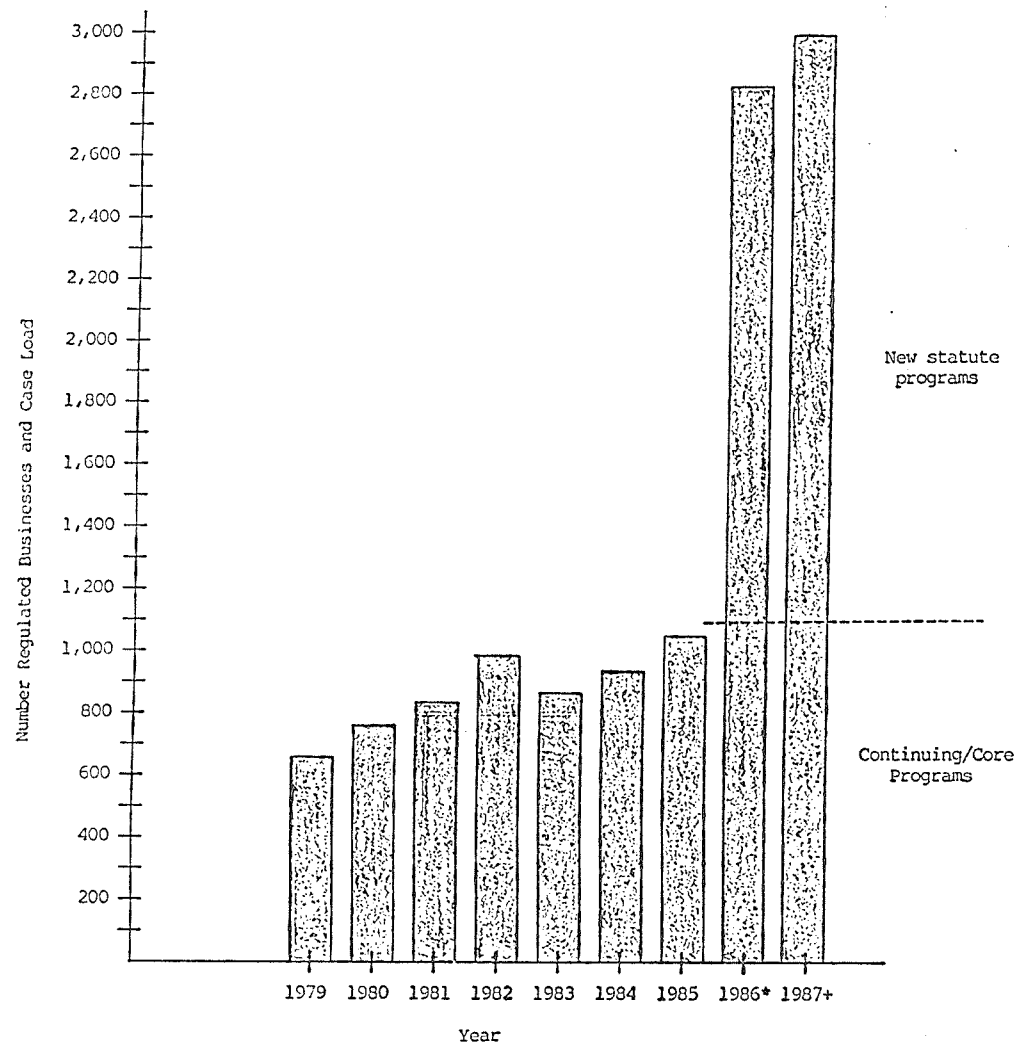
Similar cuts, over time, have been made to clerical personnel of the Pesticide Record Center where positions allocated by budget to the program have declined from 16.7 funded manyears in 1978 to 5.50 in 1986. Center workload vs. manyears allocated is represented graphically for the 1977-1986 period in Figure 2. The Center personnel shortage is further accentuated by two (2) additional factors. First, Center workload is continually increased with increases in volume of records maintained. Document volumes maintained are shown in Table 1 for the 1977-1986 period. Secondly, workload levels are cyclical as a consequence of the 3-year commercial and 5-year private applicator entry and renewal cycles. The workload consequence of these cycles is shown in Figure 2. Personnel needs should also be cyclical in response to workload. However, recent budgets have consistently limited position numbers to the minimum level, regardless of workload cycles. The consequence has been major delays (up to 2 months during the Spring of 1986) in issuance of certificates and licenses. Such delays caused a major hardship to many farmers and businesses needing to apply planting time herbicides and other pesticides.

The program seems faced with the classic "old program syndrome" of continually reduced resources. Funding for travel has also been reduced to such a low level that existing field staff cannot adequately perform their assigned duties.

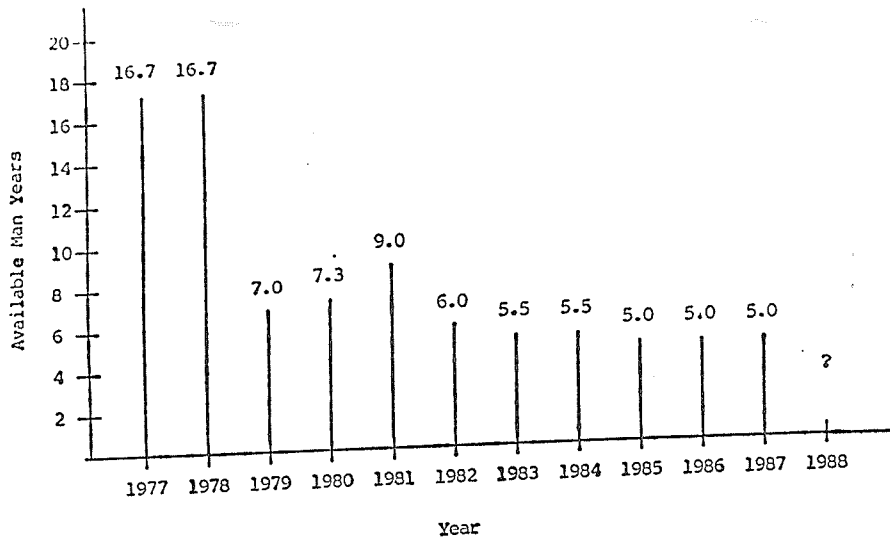
ENFORCEMENT FIELD WORKFORCE



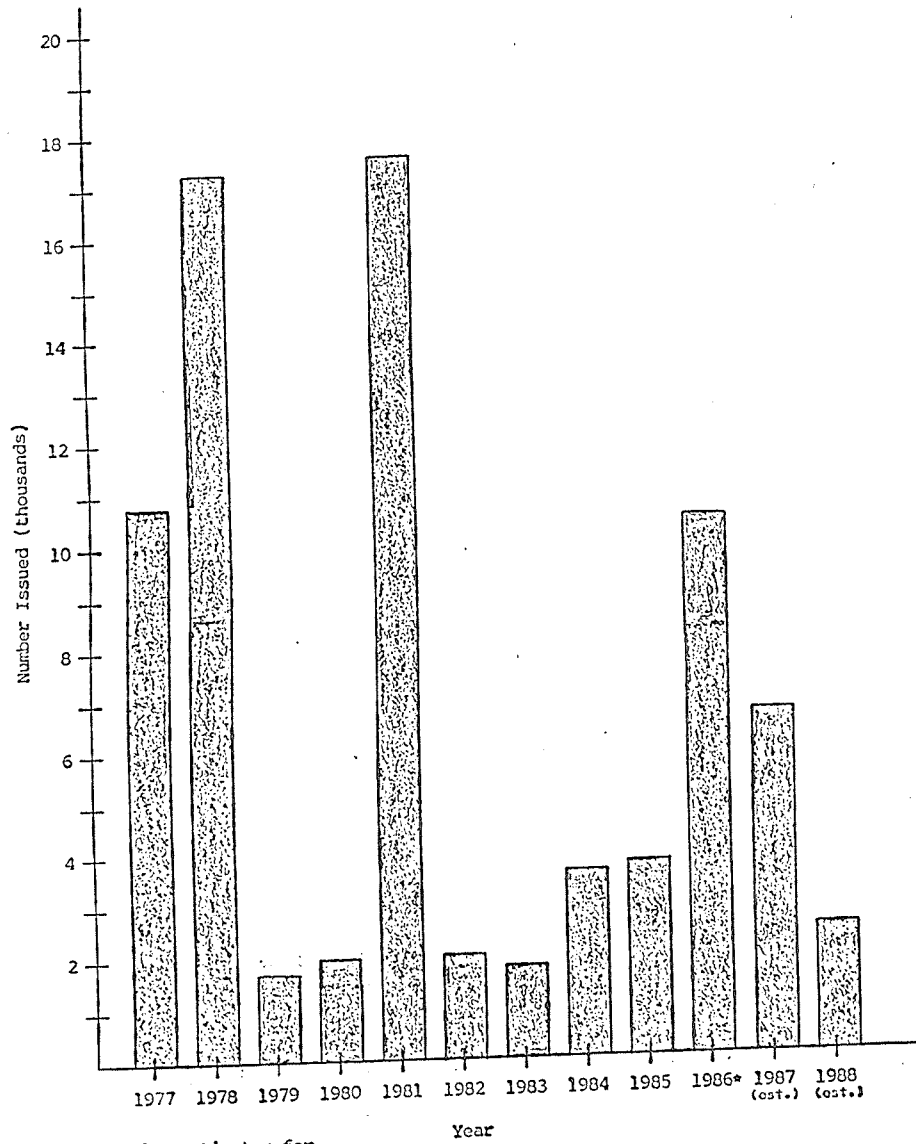
ENFORCEMENT WORKLOAD



*Includes estimates for May and June, 1986.
 +Estimate



RECORD CENTER WORKLOAD



*Includes estimates for May and June, 1986.

(by annual year)

KANSAS PESTICIDE LAW
RECORDS MAINTENANCE VOLUME
PESTICIDE RECORDS CENTER

<u>Year</u>	<u>Private Certification</u>	<u>Commercial Certification</u>	<u>Business Licenses</u>	<u>Govt. Agency Registrations</u>	<u>TOTAL</u>
1977	18,387	1,430	-0-	-0-	19,817
1978	24,715	2,717	962	179	28,573
1979	25,483	3,063	987	179	29,712
1980	25,881	3,279	987	179	30,326
1981	26,701	3,707	987	179	31,574
1982	27,086	4,133	1,036	179	32,434
1983	27,318	4,609	1,036	179	33,142
1984	27,655	4,988	1,036	179	33,858
1985	28,947	5,413	1,049	179	35,588
1986	31,310*	5,660*	1,049 (est.)	179 (est.)	38,198
Increase since 1978	6,595	2,943	87	-0-	9,625

*to 4-25-86

III. Options

There appear to be three (3) distinct options available to insure adequacy of the pesticide use regulatory/safety program in Kansas. One alternative would be continuance of the status quo of steady workload increases and reduced resources. The consequence will be a steadily deteriorating level of performance and public safety with the program utilized only as a revenue generator. This option will also further reduce public confidence in the state program and create dissatisfaction among regulated applicator businesses.

A second alternative would be to return state primacy provided by the Kansas Pesticide Law (all except state business licensing provisions) to the U.S. Environmental Protection Agency and concentrate all current resources on conduct of the other two (2) state statutes. This option would remove most state authority and jurisdiction over pesticide use in Kansas and place it at the federal level. Such action would be unpopular with most pesticide users and affected industries, would remove program operations and decision-making from state (local) control and would result in substantial losses in funding currently provided by the U.S. Environmental Protection Agency to support pesticide enforcement and education within the state.

A third option is to reverse trends by infusion of additional state resources into the current program. This is a very viable alternative which could result in major benefits with less fiscal impact than Option 2.

IV. Recommendation

The State Board of Agriculture recommends infusion of additional state resources adequate to allow reasonable enforcement of the pesticide use regulatory/safety program in Kansas. Actions to the contrary could be expected to result in increased environmental and public hazards as well as losses of pesticides necessary to combat pest problems because of use abuse. Infusion of the program by four (4) positions is recommended. These are as follows:

- Case Review Officer - for review of documentation and preparation of pesticide enforcement cases for legal or administrative action.
- Ecological Specialist - field investigator (Pesticide Use Section) to conduct pesticide enforcement activities and chemigation inspections.
- Ecological Specialist - field investigator (Pesticide Registration Section) to conduct marketplace inspection program in the western one-third of Kansas.
- Keyboard Operator I - for Pesticide Record Center to aid: maintenance of records and issuance of certificates and licenses.

V. Fiscal Impact

For any preventative program to be effective, on-site inspection and prompt investigation by field staff persons is necessary. Fiscal impact of hiring four (4) additional employee and travel support for the two (2) positions listed above is estimated at \$115,961 per annum subject to inflation and salary increases.

VI. Legislative Implications

There are no legislative implications to the recommended option beyond normal budgetary decisions.

VII. Impact on Other Agencies

No impact is expected to other agencies beyond the enhancement of relations with the U.S. Environmental Protection Agency, Kansas Department of Health and Environment and the Kansas State University Extension Service.

RESOURCE ESTIMATE BY FUND—DA 404

DIVISION OF THE BUDGET

DEPARTMENT OF ADMINISTRATION, STATE OF KANSAS

AGENCY NAME Kansas State Board of Agriculture

AGENCY—SUBAGENCY CODES 046 - 00 FUNCTION NO. 5

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PAGE

FUND ACCOUNT NAME & NUMBER:			FY 19 ⁸⁶	FY 19 ⁸⁷	DOB USE	FY 19 ⁸⁸	FY 19 ⁸⁸	FY 1988	DOB USE
			ACTUAL	ESTIMATE	ONLY	LEVEL A	LEVEL B	LEVEL C	ONLY
J.S. Geological Survey Coop Gage Agree. <u>2629</u> <u>00</u>									
SUPPLEMENTAL APPROPRIATION	005								
LEGISLATIVE APPROPRIATION	010								
REAPPROPRIATION	020		(1,475)	(3,000)		--	--	--	
LIMITED REAPPROPRIATION	030								
RECEIPTS NAME & NUMBER:									
Other Non Operating Receipts	<u>6909</u>	050	4,475	9,800		6,800	6,800	6,800	
		050							
		050							
		050							
		050							
SUBTOTAL-RECEIPTS			4,475	9,800		6,800	6,800	6,800	
TOTAL AVAILABLE			3,000	6,800		6,800	6,800	6,800	
TRANSFER OUT (—)	070								
BALANCE LAPSED	080								
BALANCE FORWARD	090		(3,000)	--		--	--	--	
NONREPORTABLE EXPENDITURES	100								
TOTAL EXPENDITURES			6,000	6,800		6,800	6,800	6,800	
EXPENDITURE LIMITATION			110	No Limit	No Limit	No Limit	No Limit	No Limit	
FUND ACCOUNT NAME & NUMBER:									
Agricultural Chemical Fees <u>2800</u> <u>99</u>									
SUPPLEMENTAL APPROPRIATION	005								
LEGISLATIVE APPROPRIATION	010								
REAPPROPRIATION	020		20,282	27,393		22,480	22,480	22,480	
LIMITED REAPPROPRIATION	030								
RECEIPTS NAME & NUMBER:									
Engage in Business	<u>2111</u>	050	121,025	115,050		115,050	115,050	153,400 ✓	
		050							
		050							
		050							
		050							
SUBTOTAL-RECEIPTS			121,025	115,050		115,050	115,050	153,400	
TOTAL AVAILABLE			141,307	142,443		137,530	137,530	175,880 ✓	
TRANSFER OUT (—)	070								
BALANCE LAPSED	080								
BALANCE FORWARD	090		27,393	22,480		--	--	--	
NONREPORTABLE EXPENDITURES	100								
TOTAL EXPENDITURES			113,914	119,963 ✓		137,530	137,530	175,880 ✓	
EXPENDITURE LIMITATION			110	116,198	119,963				

Attachment 1

3-4-87

NARRATIVE INFORMATION - A 400
DIVISION OF THE BUDGET
DEPARTMENT OF ADMINISTRATION, STATE OF KANSAS

AGENCY NAME Kansas State Board of Agriculture
 AGENCY-SUBAGENCY CODES 046-00 FUNCTION NO.
 PROGRAM TITLE AND CODE Division of Plant Health - 7200
 SUBPROGRAM TITLE AND CODE Pesticide Use - 7212

DETAILED JUSTIFICATION OF RESOURCE FUND ESTIMATES

AGRICULTURAL CHEMICAL FEES (Fund 2800): The Agricultural Chemical Act, K.S.A. 2-2201 et. seq., provides for registration of agricultural chemicals (pesticides). The fee is \$15 per product.

	Fee	FY 1986		FY 1987		Level A & B FY 1988		Level C FY 1988		TOTAL
		No.	TOTAL	No.	TOTAL	No.	TOTAL	Fee	No.	
2111 To Engage in Business	\$15	8,068	\$121,025	7,670	\$115,050	7,670	\$115,050	\$20	7,670	\$153,400

Pesticide product registration fees have averaged \$115,508 per year over the last two- (2) year period. Fee receipt estimates for FY 1987 and FY 1988 are anticipated to be slightly reduced from the average due to current conditions of the agricultural economy. As further explanation for the decrease in revenue from FY 1986 to FY 1987, it should be noted that during FY 1985 \$3,270 had been deposited in a suspense fund account which was eventually credited to FY 1986 receipts. Also, there is the unknown constant of suspension and cancellation of products due to federal actions, such as the recent loss of most grain fumigants. It is never known whether new product registrations will balance those cancelled during a given fiscal year.

FY 1988 Level C fee estimates are predicated upon an increase in pesticide product registration fees from the current \$15 per product to \$25 per product with the increase to take place January 1, 1988. A change in statute will be required.

Resources to these activities are derived from fees, the receipts of which fluctuate with economic conditions. It has been the experience of the division and other agencies from other states administering similar laws that a workable carry-over is necessary to cushion against decreased receipts resulting from years of decreased sales of agricultural chemicals. We are currently experiencing this condition due to depressed farm price conditions and high commodity production costs.

It should also be noted that fees are collected during the first six months of the calendar year, hence the necessity to maintain carry-over for program operation during the first six months of the fiscal year.

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DETAILED JUSTIFICATION OF RESOURCE FUND ESTIMATES:

PESTICIDE USE FEE FUND (Fund 2804): The Kansas Pesticide Law (K.S.A. 2-2438(a) et. seq.) requires the licensing of pesticide businesses, the certification of individual pesticide applicators, the registration of government agencies and registration of pesticide dealers. The law divided commercial applicator certification and business licenses into categories, and established fees for licensing, certification, government agency registration and registration of pesticide dealers. The statute was amended by 1982 House Bill 3147, which stipulates that the fee rates will be fixed by rules and regulations adopted by the Kansas State Board of Agriculture, not to exceed the following maximums:

- Commercial Certification Examination Fee: \$25 per category. Certification is in effect for 3 years.
- Private Certification Application Fee: \$10. Certification is in effect for 5 years.
- Commercial Certification Application Fee: \$35 per category. Certification is in effect for 3 years.
- Business License Application Fee: \$75 per category, plus \$10 per uncertified applicator employed. This is an annual fee.
- Government Agency Registration Fee: \$35. This is an annual fee.
- Uncertified Applicator Fees: \$10 per uncertified employee applicator. This is an annual fee.
- Registration of Pesticide Dealers: \$15. This is an annual fee.

All fee rates are currently at the maximum.

	Fee	FY 1986		FY 1987		Level A & B FY 1988		Level C FY 1988		
		No.	TOTAL	No.	TOTAL	No.	TOTAL	No.	TOTAL	
Commercial Certification Examinations	*\$25	831	\$ 20,797	640	\$ 16,000	500	\$ 12,500	\$ 25	500	\$ 12,500
Private Certification Application	10	11,521	115,210	3,990	39,900	650	6,500	10	650	6,500
Commercial Certification Application	** 35	1,088	39,300	2,140	74,900	865	30,275	35	865	30,275
Business License Application	75	1,325	99,375	1,400	105,000	1,300	97,500	150	1,300	195,000
Government Agency Registration	35	161	5,635	160	5,600	160	5,600	35	160	5,600
Uncertified Applicator	10	1,499	14,990	1,400	14,000	1,400	14,000	25	1,400	35,000
Registration of Pesticide Dealers	15	2,620	39,300	1,700	25,500	1,700	25,500	15	1,700	25,500
TOTAL			\$334,607		\$280,900		\$191,875			\$310,375

*Figures do not compute due to insufficient fund check and recovery charge.

**Figures do not compute due to reciprocal agreements with other states/category fee rate differences between states.

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Certification fees have multiple-year renewal cycles. The attached graph illustrates the cyclical nature of the certification renewal program and shows the volume level of items received by the Records Center in each fiscal year from FY 1977 through FY 1986. Estimates of FY 1987 and FY 1988 are also provided.

Private Certification Fees (5-year renewal cycle): These certificates expire on the applicator's birthday, so renewals should be more or less uniformly distributed throughout the calendar years involved. Estimates are lower than for FY 1986 and FY 1987 due to the significant decrease in the number of certificates scheduled for renewal during FY 1988. Estimates for private certification fees receipts were based on the following:

477 private applicator certificates are due to expire and are subject to renewal during calendar year 1987.

269 private applicator certificates are due to expire and are subject to renewal during calendar year 1988.

It is estimated that 50% of the total of 746 certificates subject to renewal during the calendar years, 1987 and 1988, will occur during FY 1988, which would mean 374 certificates will be subject to renewal during FY 1988.

Actual renewal rate, based on past history, has proven to be 40%. Therefore, it is estimated that of the 374 certificates subject to renewal, only 150 will actually be renewed. During FY 1988, it is estimated that 500 new applicants will be certified.

The above estimates reflect that a total of 650 private certification applications will be received during FY 1988.

Commercial Certification Application Fees (3-year renewal cycle): These certificates expire at the end of the calendar year and may be renewed by attending training or by taking an examination. Application fees must be submitted for either type of renewal. Estimated fees receipts are lower than for FY 1987 due to the significant decrease in number of certificates scheduled for renewal during FY 1988. Estimates of commercial certification application fees receipts were based on the following:

854 commercial certificates are scheduled to expire and are subject to renewal December 31, 1987. A renewal rate, based on past history, has proven to be 60%. Therefore, it is estimated that 515 commercial applicators will actually renew. It is estimated that 350 new commercial certifications will be received during FY 1988.

The above estimates reflect that a total of 865 commercial certification applications will be received during FY 1988.

Commercial Certification Examination Fees (3-year cycle): Fewer commercial certificates are scheduled for renewal in FY 1988 than in FY 1987, so there is a corresponding decrease in examination fees receipts expected. Estimates of commercial certification examination fees receipts were based on the following:

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From past history, it is estimated that of the 515 commercial certification renewals anticipated in FY 1988 approximately 30% or 150 will not attend recertification training and will need to pass an examination to qualify for certification renewal. 350 new entry applications requiring examinations are estimated in FY 1988.

The above estimates reflect that a total of 500 commercial certification examinations will be processed during FY 1988.

Business License Application Fees: The estimated annual business license application fees receipts are less than for FY 1987 because the actual business license application fees received for FY 1986 were less than estimates for that year which included fiscal impact of H.B. 2470 which removed from licensing exemption those businesses making agricultural, ground rig application of general use pesticides. Also, some businesses have not renewed due to difficulty in finding insurers who will write liability coverage for pesticide businesses.

Estimated fee receipts for FY 1988 Level C are predicated upon an increase in the business license application fee from the current \$75 level to \$150 with the increase to occur on January 1, 1988. A change in statute will be required.

Government Agency Registration and Uncertified Applicator Fees: The annual fees for uncertified applicator employees and for government agency registrations are estimated at the same level as for FY 1987.

Estimated fee receipts for FY 1988 Level C, uncertified applicator employees are predicated upon an increase from the current \$10 per applicator to \$25 per applicator. This increase would be scheduled to occur on January 1, 1988 and at the beginning of the licensing year. A change in statute will be required.

Registration of Pesticide Dealers: The dealer registration program is in its first full year of operation and a definite number of registrants cannot yet be confirmed. It would appear that the actual number of registrants will stabilize at or near 1,700 dealers. Registration fees are set at \$15 per dealer. Regulations passed during FY 1986 Session have been amended and presented for legislative committee consideration. These regulations further define and clarify exemptions to registration.

The FY 1986 registrations received (2,620) include 1,558 initial registrations and 836 renewal registrations and therefore reflect a greater number than is to be expected for a given registration year period. During FY 1986, 1,558 registrations were issued, 836 renewals for FY 1987 were issued and 226 new registrations have been issued for FY 1987.

The reason for the decrease in number of renewals from FY 1986 is due to the exemption provided for, and clarified by regulation of the term "household use" pesticide. Since notification was made available to all known pesticide dealers during May 1986, it will now be up to the two field persons to pick up additional registrations through compliance inspections and enforcement programs.

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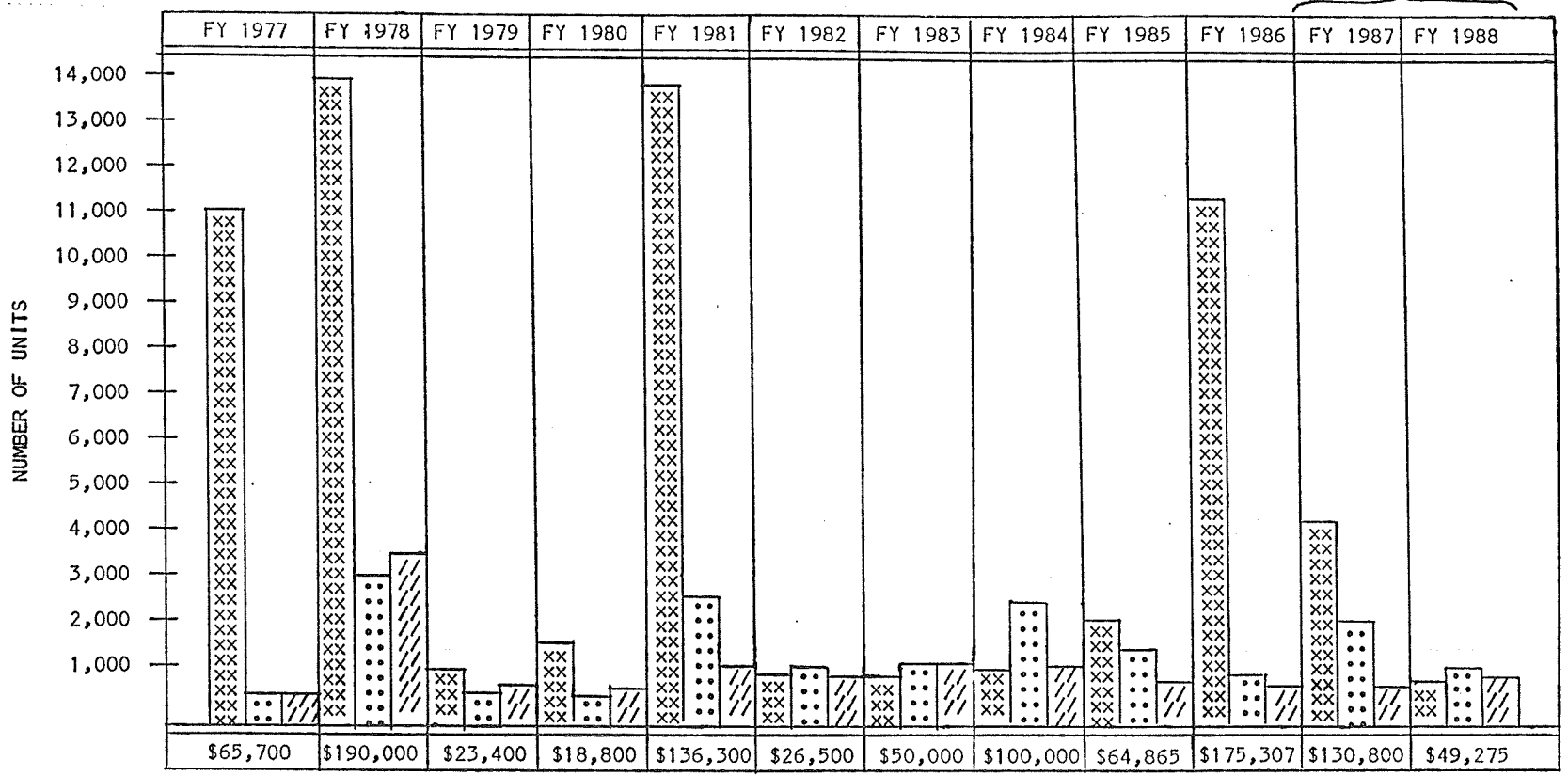
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Code
 [Cross-hatch] = Private Certification
 [Dotted] = Commercial Certification Applications
 [Diagonal lines] = Commercial Certification Exams

PESTICIDE APPLICATOR CERTIFICATION

Estimates



TOTAL FEES

RESOURCE ESTIMATE BY FUND—DA 404

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FUND ACCOUNT NAME & NUMBER:			FY 19_86 ACTUAL	FY 19_87 ESTIMATE	DOB USE ONLY	FY 19_88 LEVEL A	FY 19_88 LEVEL B	FY 19_88 LEVEL C	DOB USE ONLY
Certification of Pesticide App. Federal <u>3050</u> <u>99</u>									
SUPPLEMENTAL APPROPRIATION		005							
LEGISLATIVE APPROPRIATION		010							
REAPPROPRIATION		020	--	3,600		--	--	--	
LIMITED REAPPROPRIATION		030							
RECEIPTS NAME & NUMBER:									
Public Health Federal Grant	<u>4020</u>	050	25,600	26,222		26,222	26,222	26,222	
		050							
		050							
		050							
		050							
SUBTOTAL-RECEIPTS			25,600	26,222 ✓		26,222	26,222	26,222 ✓	
TOTAL AVAILABLE			25,600	29,822		26,222	26,222	26,222	
TRANSFER OUT (—)									
BALANCE LAPSED									
BALANCE FORWARD			3,600	--		--	--	--	
NONREPORTABLE EXPENDITURES									
TOTAL EXPENDITURES			22,000	29,822 ✓		26,222	26,222	26,222 ✓	
EXPENDITURE LIMITATION			22,000	31,000					
FUND ACCOUNT NAME & NUMBER:									
Pesticide Enforcement Fund - Federal <u>3422</u> <u>00</u>									
SUPPLEMENTAL APPROPRIATION		005							
LEGISLATIVE APPROPRIATION		010							
REAPPROPRIATION		020	--	7,245		22,100	22,100	22,100	
LIMITED REAPPROPRIATION		030							
RECEIPTS NAME & NUMBER:									
Public Health Federal Grant	<u>4020</u>	050	251,600	176,700		154,600	154,600	154,600	
		050							
		050							
		050							
		050							
SUBTOTAL-RECEIPTS			251,600	176,700		154,600	154,600	154,600	
TOTAL AVAILABLE			251,600	183,945		176,700	176,700	176,700	
TRANSFER OUT (—)									
BALANCE LAPSED									
BALANCE FORWARD			7,245	22,100		--	--	--	
NONREPORTABLE EXPENDITURES			1,486						
TOTAL EXPENDITURES			242,870	161,845 ✓		176,700	176,700	176,700 ✓	
EXPENDITURE LIMITATION			251,600	154,600					

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DETAILED JUSTIFICATION OF RESOURCE FUND ESTIMATES

CERTIFICATION FEE FUND (3050): Applications will be made for federal grants from the Federal Environmental Protection Agency for funding to supplement the state's program of certification and recertification of pesticide applicators under the Kansas Pesticide Law.

Actual receipts for FY 1986 and estimated receipts for FY 1987 and FY 1988 are as follows:

	<u>Actual</u> <u>1986</u>	<u>Estimated</u> <u>1987</u>	<u>Estimated</u> <u>1988</u>
4020 Public Health Federal Grant	\$25,600	\$26,222	\$26,222

Starting in FY 1977, this agency has applied for and received federal grants each year from the Environmental Protection Agency to supplement the state's program of certification of pesticide applicators under the Kansas Pesticide Law. The grant amount has varied in each of the years. The formula that EPA presently uses in allocating certification funding to states is based on criteria that includes: number of private applicators holding valid certification; number of commercial applicators holding valid certification; estimated number of farms in the state; and estimated farm acreage in the state. The Kansas State Board of Agriculture has historically applied for and received the total amount of certification grant funds available for allocation to this agency.

EPA originally advised that \$27,400 would be available to us for state FY 1987. Subsequently, due to federal budget cuts, EPA's available certification funding was decreased. This resulted in reductions in allocations to states, and resulted in a revised figure of \$26,222 available to our agency. A grant application has been submitted to EPA for the full \$26,222 available for state FY 1987.

Written communication from Region VII EPA indicates an amount of \$29,300 would be available to us for state FY 1988, but the same letter also indicates that the figure "is subject to future reduction." Conversation with Regional EPA personnel indicates that the state FY 1988 allocation figure may be similar to that available for state FY 1987. Therefore, \$26,222 (same as FY 1987) is estimated in this budget as the amount of certification fees fund receipts for FY 1988.

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DETAILED JUSTIFICATION OF RESOURCE FUND ESTIMATES

ENFORCEMENT GRANTS (Fund 3422): Application will be made for federal grants from the Federal Environmental Protection Agency to supplement the state's pesticide/pest control program.

Actual receipts for the FY 1986 and estimated receipts for the FY 1987 and FY 1988 are as follows:

	<u>Actual</u> <u>1986</u>	<u>Estimated</u> <u>1987</u>	<u>Estimated</u> <u>1988</u>
4020 Public Health Federal Grant	\$251,600	\$176,700	\$154,600

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SUBPROGRAM: PESTICIDE USE

PROGRAM EXPLANATION: This subprogram performs enforcement responsibilities under the Kansas Pesticide Law, Agricultural Chemical Act and Kansas Chemigation Safety Law. Major work areas include:

Certification of private (farmers and homeowners) and commercial pesticide applicators. Pesticide applicators are required to demonstrate competence in the safe handling and use of pesticides and proper pesticide waste disposal by passing an examination before they may legally purchase and/or apply certain "Restricted Use Pesticides." Knowledgeable individuals are less likely to injure themselves or others or to damage the environment when applying potentially dangerous chemicals. This program benefits the entire state.

Licensing of commercial pesticide applicator businesses. Businesses are required to have at least one certified applicator to ensure some level of competency and must show proof of financial responsibility in the form of liability insurance or a surety bond. This program benefits the entire state.

Investigation of all incidents of alleged pesticide misuse and/or other violations of the Kansas Pesticide Law. Samples of soil, foliage or air are collected as needed along with other evidence necessary to support administrative action by the agency or criminal action by the appropriate county or district attorney. Staff members testify as expert witnesses in criminal and civil court in cases involving pesticide applications. This program benefits the entire state.

Registration and monitoring of all pesticide products sold in the state. Pesticide products being offered for sale are inspected to ensure that they have been registered and that their labels contain adequate directions for use and safety precautions to protect the applicator and the environment. Products are routinely sampled and analyzed to ensure that the active ingredients are present in the same concentrations as shown on their labels. Product registration information is reported to the National Pesticide Information Retrieval System and is available to KSU Extension Service and to all states as these states' labels are available to us in a format usable to determine use site, pest controlled, number and manufacturer of products registered for use and programming for state pesticide recommendations. This information is necessary for special use approvals and a myriad of other informational uses. This program benefits the entire state.

Registration of pesticide dealers. Dealers who sell pesticide products other than ready-to-use pesticides for use in and around the home must register annually and maintain certain records concerning sales of restricted use pesticides. The registration and recordkeeping requirements allow the state to have primary enforcement authority over the sale of restricted use pesticides. These sales would otherwise be regulated under federal law

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Attachment 1

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by the U.S. Environmental Protection Agency. The registrations also establish a network through which to disseminate information on recent restrictions, suspensions or cancellations of pesticides or pesticide products. State-issued stop sale or removal orders are used to halt the sale of adulterated or misbranded products in the marketplace. This program benefits the entire state.

Registration of landowners or operators who apply pesticides, fertilizers or other chemicals through irrigation systems. The Kansas Chemigation Safety Law which was passed by the 1985 Session of the legislature is intended to protect the ground and the surface waters of the state from contamination by pesticides and other chemicals.

Registrants under the act are required to install certain safety devices in their irrigation systems to prevent chemicals from being back-siphoned into their wells or other sources of irrigation water. This program benefits the entire state.

Bulk pesticide storage and handling. This amendment to the Kansas Pesticide Law is intended to ensure public safety through proper construction of bulk pesticide storage facilities including safety devices and secondary containment facilities and the proper handling of pesticides stored in these bulk containers. This program benefits the entire state.

STATUTORY HISTORY: In 1947, the Legislature passed the Kansas Agricultural Chemical Act (K.S.A. 2-2201 et. seq.) and assigned administrative responsibility to the Board of Agriculture. This statute requires pesticide manufacturers to register their products prior to their being offered for sale in the state. Each product must bear a label which includes the percentage of each active ingredient, adequate directions for use, environmental hazards, warnings and cautions against misuse, etc. The law covers all pesticide products including insecticides, herbicides, rodenticides, fungicides, nematocides, defoliant, plant regulators and desiccants. This statute was amended in 1985 to permit inspectors to issue field stop sale orders to the owners or custodians of any pesticide product which is found to be adulterated, misbranded or not registered or which fails to meet other requirements of the law.

The Legislature passed, in 1951, an act requiring the registration of all applicators of pesticides by aerial means. This initial legislation established bond requirements and assigned responsibility for administration to the Secretary of Agriculture. The bond requirements which were first established were expanded by amendment in 1955. In 1963, the act was further amended to include ground rig applications of pesticides. An amendment in 1965 clarified that persons applying pesticides to their own land were exempt from regulation. In 1953, corresponding to their work in the agricultural section, the Legislature enacted the Kansas Pest Control Act (K.S.A. 2-2401 et. seq.) pertaining to the licensing of the termite and pest control industry. This bill was

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assigned to be administered by the Entomological Commission. In 1957, this act was amended to spell out in detail the procedures to be followed in suspending or revoking a license and in making an appeal from a decision to amend or revoke. Also, financial responsibility by bonding was made a requirement for licensing. In 1959, the financial responsibility section of this act was amended to allow the option of liability insurance. In 1963, the law was amended to make it a violation to use a pesticide in an unapproved manner. This amendment also included a provision which would require a written statement of services to be given to the customer. The Entomological Commission was abolished in 1963, and its functions and duties were transferred to the Board of Agriculture. The violations section of the act was expanded in amendments made in 1965. The fees for licenses were increased in 1972. Amendments to the Pest Control Act made in 1973 included an increased level of financial responsibility and increased penalty for violation.

Through K.S.A. 2-2413 et. seq., the Legislature enacted the Pesticide Use Law. This law provided for comprehensive regulation of pesticide applicators. While the law was a general one, it covered all applicators not covered by the Pest Control Act (which dealt with residential and institutional pesticide applicators). In 1971, the governmental agency registration section of the act was clarified. Further amendments were made in 1973 when codification was made and specific clarification of an aerial applicator license was established. In 1976, this act was codified, along with the Pest Control Act, into the Kansas Pesticide Law (K.S.A. 2-2438a et. seq.).

The Kansas Pesticide Law combined the regulatory and licensing provisions of the prior Pest Control Act and the Pesticide Use Law. In addition, to comply with the federal mandate of the Federal Environmental Pesticide Control Act, a certification of private as well as commercial pesticide applicators' competence was embodied in the new law. In 1977, certain technical amendments were made to this act, but were not of substance. The 1981 Legislature further amended this act to provide an extended certification period for private applicators and changed the recertification process from Kansas State University training to a Kansas State Board of Agriculture mail-out examination. The 1982 Legislature increased the surety bond requirement and added a certified applicator requirement for licensing. The 1985 Legislature amended the 1976 Kansas Pesticide Law to include the registering of sellers of pesticides at the retail level, and the responsibility of monitoring bulk pesticide storage tanks for physical and environmental safety.

The 1985 Session of the Legislature passed the Kansas Chemigation Safety Law (K.S.A. 2-3301 et. seq.). This statute requires persons who apply pesticides, fertilizers or other chemicals through their irrigation equipment to first obtain a permit to do so. Permittees are required to install certain anti-pollution devices and maintain them in proper working order. These devices protect the states' water supplies by preventing chemicals from being back-siphoned into the well or other source of irrigation water.

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PROPOSED BUDGET YEAR OPERATIONS: Following are specific activities relating to the administration and enforcement of state law as it pertains to the licensing and regulation of pesticide businesses:

1. Pesticide application businesses are required to be licensed to apply pesticides in Kansas and to maintain certain records of pesticide applications. Division personnel investigating complaints against businesses may discover a violation of the licensing provision of the law, requiring appropriate actions to be initiated to effect compliance. These actions may include administrative decisions to deny, suspend, or revoke a license, criminal court proceedings, or referral to the U.S. Environmental Protection Agency when violations of Federal law are found.
2. Compliance check visitations are conducted at pesticide businesses which were previously exempted from license requirements. Recent law amendment has brought in all pesticide applicator businesses, and the new business licenses require visitations to provide instruction on proper recordkeeping, storage, sale, and use of pesticides.
3. Pesticide applicator training and testing is conducted to insure that both commercial and private applicators of restricted use pesticides are knowledgeable in the proper use, safety and disposal of pesticides. The Kansas Pesticide Law requires testing and certification of individuals using restricted use pesticides. Qualification to establish an individual's competency to apply these pesticides is by written examination in the particular category of pesticide use. Division personnel administer these examinations at various statewide locations as well as at the Topeka office year around. Division personnel assist and participate in recertification training sessions administered by Kansas State University Extension Service and also participate in meetings with civic groups, farm organizations, and college and university personnel.
4. Investigations are conducted on complaints received alleging damage by misuse during pesticide applications. If it is determined a violation has occurred, appropriate action is initiated under provisions of the law.
5. Registration of pesticide products provides for prompt and thorough review of all registrations submitted for agricultural chemicals. Each pesticide producer wishing to market its pesticides in the state is required to register before making these products available for use. Currently, some 800 producers are registering some 8,000 pesticide products. Registration requires reviewing each of the 8,000 product labels for completeness as spelled out in the Agricultural Chemical Act.

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6. Marketplace inspections are conducted on agricultural chemicals sold by pesticide dealers within the state. This program provides assurances that pesticide products offered for sale contain the ingredients as stated on the label. Shelf samples are purchased during dealer inspections and analyzed at the Kansas State Board of Agriculture Laboratory. Deficient products are issued stop sale orders.
7. Pesticide dealers are monitored for compliance with the newly enacted pesticide dealer registration requirements. The recent law amendment requires businesses selling pesticides to register. Inspections are made to assure registration, check pesticide sales records and to inspect for the sale of unregistered pesticide products.
8. New regulations pertaining to the handling and safety of bulk pesticides will require initial and follow-up on-site visits to insure compliance. All bulk pesticide storage facilities require certain safety equipment and secondary containment to be installed and utilized.
9. Pesticide use inspections are conducted to insure compliance with state and federal pesticide laws. This program involves the physical presence of division personnel during pesticide application to determine proper pesticide use according to label directions and the Kansas Pesticide Law. Use monitoring investigations are conducted on regularly labeled pesticides as well as specially registered pesticides and experimental use permits. The monitoring encompasses all aspects of pesticide use, including proper safety techniques, loading and mixing, rates, application, storage and disposal, and follow-up on post-harvest restrictions.
10. The effectuation of safe storage and proper disposal of pesticide and pesticide containers.
11. The continuation of an agricultural aircraft identification program. This is accomplished by the placement of identification decals on all agricultural aircraft. The decal program aids in enforcing that portion of the law that requires aerial application businesses to be licensed.
12. The investigation of uses and the possibility of abuses of pesticides applied via the chemigation process and inspection of facilities to insure that the required safety equipment is in place and functioning properly.

Utilization of the additional personnel requested would provide a much needed resource adequate to provide reasonable enforcement of the various laws pertaining to the pesticide regulatory/safety programs.

The new position of case review officer would provide the much needed technical oversight of enforcement case review and preparation for action relating to the above programs.

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One Pesticide Use Section field investigator would be assigned to the central area of the state which is historically a high pesticide use area, an area of frequent pest outbreaks, and an area in which the one field person currently working the area has too great a work load to effectively perform duties. This person could also be used to aid in the Chemigation Safety law program since the south central area is a high chemigation use area.

One other Ecological Specialist would be utilized to assist the current two staff persons working the state on the Agricultural Chemical Act and Dealer Registration programs. Two specialists currently work one-half of the state each, which makes it physically impossible to perform a satisfactory regulatory program. The additional person would allow the state to be divided into thirds rather than the current one-half and would allow a much improved rotational program to reach regulated industry on a yearly basis as opposed to the current two to three year basis.

LONG-TERM TRENDS: The issue of safe use of pesticides has become one of national concern. Concurrent with increases in numbers of applicators and volumes of chemicals applied has come increased scientific evidence and public recognition of health and environmental hazards resulting from pesticide applications. A relatively recent discovery involves percolation of pesticides through the soil to contaminate groundwater supplies, and an increase in the application of pesticides through center pivot irrigation systems poses a potential threat to this vital resource. As a result, future pesticide labels will restrict the use of some products to use on certain soil types and include special directions for use in chemigation. Pesticide use is becoming increasingly technical as is pesticide enforcement.

In urban areas, cases of alleged pesticide misuse and/or suspected health hazards reported to the Board of Agriculture are increasing in number concurrent with increased pesticide use, an increase in the number of commercial pest control businesses, and greater public awareness and concern. In recent years, frequent complaints of structural air contamination following indoor pesticide applications, particularly termite control treatments, have necessitated the testing of air inside homes and offices, and have substantially increased both the complexity and the time required to conduct investigations. Additional case load is created through referrals from the U.S. Environmental Protection Agency regional office in Kansas City, Kansas.

While the number and complexity of cases involving alleged pesticide misuse has been on the increase, the number of staff positions available to handle the work has been declining. The level of funding to this subprogram has been inadequate to meet the need. The number of field staff positions was reduced from 11.5 in 1978 to 8 by 1985. In 1985, the legislature passed the Chemigation Safety Law (K.S.A. 2-3301 et. seq.) and amended the Kansas Pesticide law (K.S.A. 2-2438a et. seq.) to require registration of pesticide dealers. One field position was

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provided for each of these two new programs, and internal agency reorganization added another position, bringing the current total of field positions in the pesticide use subprogram to 11 - fewer than in 1978 with many additional responsibilities. The program is barely able to meet the current output requirements for EPA enhancement funds and faces possible reduction or loss of this resource.

Increased review of pesticides by EPA with regard to long-term health effects, groundwater concerns, and other potential environmental hazards has increased the workload in both administrative and field activities. Suspensions, cancellations and changes in classification of pesticide products from general use to restricted use result in increased field stop sale orders, increased administrative action against pesticide producers and may require a formerly exempt retailer to register as a pesticide dealer. Although only two field positions have been funded for the pesticide registration section, these individuals are responsible for assuring that all of the pesticide products being sold in the state have been duly registered and that products canceled by EPA are no longer being sold.

With the increase in both the numbers and complexity of pesticide-related activities, it has become impossible for the pesticide use section administrator to adequately review each case file, determine the appropriate agency response and carry out the necessary action, i.e. write a warning letter, schedule and conduct hearings, etc. Federal monies from EPA for program enhancement are dependent upon administrative action being initiated within 60 days of the completion of a given investigation, but no assistance is presently available without utilizing field staff and further delaying response time on complaints.

The program seems to be faced with the classic "old program syndrome" of continually reduced resources. The enforcement program for the Kansas Pesticide Law now consists of little more than investigation of alleged pesticide misuse, and response time is often slow. Staffing is not sufficient to offer organized aid to applicators in the areas of prevention and compliance education. The one position provided with the addition of the Chemigation Safety Law is not adequate to inspect the approximately 9,000 irrigation wells for chemigation devices. The Chemigation Safety Law allows one permit holder to operate more than one well. We expect to have 350 permittees during FY 1988, but it is necessary to inspect each well in order to determine if the owner is using chemigation. Consequently, this agency can provide little enforcement and cannot provide the advice and assistance to permit holders that is required by statute. Funding for travel has also been reduced to such a low level that existing field staff cannot adequately perform their assigned duties.

In order to assure the adequacy of the pesticide use regulatory/safety program in Kansas, three (3) additional professional staff positions (Ecological Specialist) are requested. Two (2) would be assigned to field duties while the other would be assigned case review and development responsibilities. One field position would be

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assigned to the pesticide inspection and pesticide dealer registration programs. The other field position would be assigned to the pesticide use section and would be responsible for pesticide use/misuse investigations and chemigation inspections.

The additional of these three (3) positions would reverse the current trend toward reduced staffing and provide sufficient manpower to put the pesticide use program in good stead for the immediate future. Actions to the contrary could be expected to result in increased environmental and public hazards as well as losses of pesticides necessary to combat pest problems due to chronic misuse. It would also result in reduction or elimination of federal enhancement funds which are currently provided by the U.S. Environmental Protection Agency and are based on program output. Loss of this additional revenue, \$176,700 in the 1987 federal fiscal year, would further cripple the program.

PROGRAM PURPOSE: The establishment and maintenance of informational and training programs to promote the safe use of pesticides, an enforcement program structured to fulfill mandated responsibilities, and inspection compliance programs to satisfy program activity requirements.

PROGRAM OBJECTIVES: This program regulates the methods of utilization of pesticides and thereby provides for environmental and human safety. Pesticide use is regulated through the education, testing and certification of commercial and private pesticide applicators, licensing of pesticide applicator businesses, compliance inspection of pesticide applicator techniques and methods, and prosecution of pesticide misuse violations.

The program provides public safety and consumer protection by insuring that all pesticides sold within the state have adequate directions for safe use and by requiring that the chemical contents of pesticide containers are identical to those specified on their labels. This is accomplished by registering all products sold in the state, registering pesticide dealers, checking labels, sampling pesticides sold in the marketplace, and placing stop sale orders on products found to be deficient or inadequately labeled.

The program also protects the groundwater by regulating irrigators who apply pesticides, fertilizers, or other chemicals through their irrigation systems. This process, called chemigation, is regulated by registering all chemigators, requiring them to keep records of chemicals applied, checking irrigation systems for the required functional anti-pollution devices, and sampling water from irrigation wells to check for chemical contamination.

1. Investigate and document all (approximately 240) cases of alleged misuse of pesticides and initiate the appropriate administrative or criminal action.

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2. Conduct 25 on site inspections where pesticides are being applied by commercial applicators to determine compliance with state and federal statutes.
3. Inspect 14 pesticide producer establishments to determine compliance with state and federal statutes.
4. Inspect the stock and records of 32 dealers of restricted use pesticides to determine compliance with state and federal statutes.
5. Inspect the facilities and records of 100 pesticide applicator businesses to determine compliance with pesticide storage, disposal and recordkeeping requirements.
6. Inspect the retail stock of 600 businesses which sell pesticide products to determine compliance with pesticide product registration requirements and federally enacted product cancellations and suspensions.
7. Inspect the chemigation systems of 10% of permitted chemigators to determine if the required anti-pollution devices have been installed to protect the groundwater.
8. Schedule and administer commercial pesticide applicator certification examinations at various locations around the state and monitor recertification training sessions.
9. Review labels and issue registrations for all pesticide products offered for sale within the state.
10. Issue registrations to all pesticide dealers who sell restricted use pesticides and to others who are also required to register under the Kansas Pesticide Law.

PERFORMANCE INDICATORS:

1. Investigations of all cases of alleged pesticide misuse are initiated within one week or less and completed within 30 days. Administrative review is completed and appropriate action initiated within 60 days thereafter.
2. Inspections of pesticide usage are completely documented and are submitted within one week. Administrative review is completed and appropriate action initiated with 60 days thereafter.

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3. Producer establishment inspections are completely documented and are submitted within one week. Administrative review is completed and the file is forwarded to EPA within 30 days.
4. Inspections of restricted use pesticide dealers are completely documented and are submitted within one week. Administrative review is completed and appropriate action initiated within 30 days thereafter.
5. Pesticide applicator businesses are thoroughly inspected and notified in writing of any apparent violations or deficiencies. Violators are reinspected after 30 days to determine compliance.
6. Pesticide marketplace inspections are thorough and field stop sale orders are issued for any products found to be violative. Samples are collected, and products found to be misbranded or adulterated are issued stop sale orders.
7. Chemigation systems are thoroughly inspected to assure that the required anti-pollution devices are installed and functional.
8. Commercial pesticide applicator certification examinations are given at least six times at each of eight different locations around the state.
9. Labels of all pesticide products are thoroughly reviewed before the product is registered to assure that they contain all of the required information. Registrations are issued within 60 days of receipt if the labels are complete and the application and fees are correct.
10. Applications for pesticide dealer registration are processed and registrations issued within 30 days of receipt when application and fees are correct.

Measures of performance at various budget levels are provided in the following table:

<u>Performance Measures</u>	<u>FY 1986</u>	<u>FY 1987</u>	<u>A</u>	<u>FY 1988</u>	
				<u>B</u>	<u>C</u>
Conduct 240 pesticide misuse investigations and initiate administrative action within 90 days	85%	80%	60%	65%	100%

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Conduct 25 pesticide use inspections and initiate administrative action within 90 days	80%	80%	60%	65%	100%
Conduct 14 Pesticide Producer Establishment Inspections during year	30%	50%	25%	30%	100%
Conduct 32 Inspections of Restricted Use Pesticide Dealers during year	100%	90%	45%	50%	100%
Conduct 100 Pesticide Applicator Business checks during the year	55%	65%	50%	60%	100%
Conduct 600 Pesticide Marketplace Inspections during the year	30%	60%	30%	40%	100%
Conduct 30 Chemigation Safety Inspections during the year	30%	50%	0%	0%	100%
Administer Commercial Pesticide Applicator Certification Examinations six times at each of eight locations during the year	100%	100%	75%	80%	100%
Review labels and Issue Registrations for 7,670 pesticide products during the year	95%	95%	85%	85%	100%
Process Applications and Issue Registrations for 1,700 pesticide dealers during the year	90%	90%	85%	85%	100%

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PERFORMANCE COMPARISON:

Budget Level A - This budget level would result in a serious decrease in program services and outputs due to the necessity of reducing the subprogram field staff by four (4) ecological specialists. A significant reduction in estimated fee revenues (which are cyclical) necessitates this action in order to provide sufficient operating fees to maintain at least a minimal service and enforcement program. This would result in staff reduction of 25% in the pesticide use enforcement program (Kansas Pesticide Law), 50% in the Agricultural Chemical Act and pesticide dealer registration programs, and 100% in the Chemigation Safety Law enforcement program. These reductions affect program productivity not only at the state level, but also at the federal level since failure to produce outputs required by the agency's enforcement grant with the U.S. Environmental Protection Agency should be expected to result in a further reduction in revenue. In order to avoid the above-referenced

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reductions in program output, a fee increase is requested in order to maintain the current level of staffing. According to budget directions, this request is included in Budget Level C.

Budget Level B - This budget level includes the same reductions in subprogram staffing as Budget Level A but provides additional funding for travel and subsistence for the remaining field staff. The additional funding in this area should allow the remaining field staff to increase their outputs by approximately 5%.

Budget Level C - This budget level provides the revenues necessary to maintain current levels of outputs with added enhancements to attain an acceptable level of performance through the addition of three (3) ecological specialist positions. Two of these would be field positions - one assigned to the Agricultural Chemical Act and pesticide dealer registration programs, and the other assigned to pesticide use enforcement/chemigation safety. The third position would be assigned to the Topeka office and serve as a case development officer to assist in reviewing documentation and preparing pesticide enforcement cases for administrative or criminal action. The two additional field positions will increase the agency's ability to locate unregistered pesticide products and pesticide dealers and effect compliance. They will aid in stopping the sale and distribution of pesticide products which have been canceled or suspended by the EPA, greatly improve the agency's ability to inspect chemigation wells to assure that the required anti-pollution devices are installed and functioning properly, and permit the agency to investigate all complaints of alleged pesticide misuse within one week. Timely response is very important since residues of many pesticides are not detectable for more than a few days. The case development staff position is also sorely needed and would allow the agency to respond promptly to cases of pesticide misuse by initiating administrative action as appropriate within 60 days following completion of the investigation. Presently, administrative action may not be initiated for four or more months following completion of the investigation due to the numbers and complexity of the cases and other administrative responsibilities.

In order to provide the necessary funding to support current levels of staffing and add the three positions discussed above, the agency proposes increasing application fees for pesticide business licenses from \$75 to \$150 per category, increasing the uncertified applicator fee charged to pesticide applicator businesses from \$10 to \$25 per person, and increasing the pesticide registration fee from \$15 to \$25 per product. Both the Kansas Pesticide Law (K.S.A. 2-2438a et. seq.) and the Kansas Agricultural Chemical Act (K.S.A. 2-2201 et. seq.) must be amended before fees can be increased above their present levels. The increased fees would not be out of line with similar fees currently charged by other states for pesticide business licensing and pesticide product registration.

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EXPENDITURE JUSTIFICATION:

Object Code 100: Salaries & Wages:

5 Existing positions 123,723

New Position 85,305 Total 209,028

Budget Level A - Same as Budget Level B.

Budget Level B - A total of \$409,857 is requested at this funding level. This level of funding will require the deletion of four permanent ecological specialist positions (1/3 of the staff) currently assigned to pesticide misuse enforcement investigations, inspections, and other subprogram duties. Funding at this level will allow receipt of fees, issuance of receipts and certificates and performance of some U.S. Environmental Protection Agency Pesticide Enforcement Grant work obligations, but will result in a major decrease in the number of pesticide misuse complaints the division will be able to investigate and in numbers of marketplace inspections conducted to insure that pesticides banned from sale and use because of environmental or human health hazards are removed from retail shelves. Pesticide misuse cases which will not be conducted are those resulting from drift of herbicides to damage field crops and ornamental plantings of non-target areas. The Chemigation Safety Law field enforcement program will also be deleted. Work accomplished in the pesticide enforcement area will be primarily that required to fulfill US/EPA grant requirements. However, even this step will not allow complete fulfillment of granting outputs. Ultimate loss of most federal enhancement funding should be expected. The Division is currently barely able to meet granting work requirements. Further weakening of resources will jeopardize all federal funding.

This funding level also offers the possibility of substantial human health and environmental hazards to the citizens of this state through insufficient enforcement of laws governing use of hazardous pesticides in the home, workplace and general environment. Inability to enforce the Chemigation Safety Law offers serious risks of contamination of groundwater resources on which 90% of the citizens of Kansas are dependent.

Budget Level C - A total of \$618,887 is requested at this funding level. A breakdown of the total request is as follows: \$123,726 - salaries and wages for existing staff personnel including the four current positions deleted by Level B; \$28,435 - salaries and wages for newly requested case preparation officer position; \$56,869 - salaries and wages for newly requested ecological specialist field positions. Newly requested positions would be enhancements of the existing program. This budget level will allow continued operation of all division program's and will allow substantial program enhancements. To facilitate review, items at this level have been differentiated to denote resources needed to support current program level vs. program enhancements.

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The infusion of additional resources adequate to allow reasonable enforcement of the pesticide use regulatory/safety program in Kansas is requested at this level. Actions to the contrary could be expected to result in increased environmental and public hazards as well as losses of pesticides necessary to combat pest problems because of use abuse. Infusion of the program with three (3) additional positions is recommended. These are as follows:

Case Review Officer - for review of documentation and preparation of pesticide enforcement cases for legal or administrative action.

The pesticide use regulation/safety program is currently in dire need of a position assigned to technical oversight of enforcement cases. This position would review case files to insure completeness of documentation, alert field staff personnel as to the need for additional investigative or inspectional information, advise the pesticide use and pesticide registration administrators and the division director of case status and recommend enforcement alternatives. This position would also oversee preparation of rough drafts of warning notices, notices of hearing, hearing minutes and similar legal documents. Finally, the position would oversee the enforcement case tracking system to insure timely response, investigations and prosecution of violations. The inability to perform these actions in a timely manner is currently hampering the enforcement effort and is leading to complaints from those damaged by pesticide misuse as well as by the U.S. Environmental Protection Agency. Program effectiveness is also negatively affected.

Ecological Specialist - field investigator (Pesticide Use Section) to conduct pesticide enforcement activities and chemigation inspections.

The ecological specialist assigned to conduct pesticide use regulation/safety programs (including misuse investigations) in central Kansas is currently required to cover a twenty-six (26) county area. Other field personnel are required to work areas of comparable size. However, the need for additional manpower is especially critical in the central portions of the state since this is an area of high pesticide use. Further, outbreaks of army cutworms in wheat, greenbugs in sorghum and similar pests most often occur in that portion of the state. Field enforcement workload in that portion of the state is far beyond the abilities of any one (1) investigator. As a consequence, the current central field area would be divided and this position assigned to a new south central Kansas field area. This position would also aid in enforcement of the Chemigation Safety Law since chemigation systems are in prominent use in that area. At inception, only one (1) field enforcement position was provided for conduct of the chemigation program on a statewide basis. This was and is insufficient. Primary benefits of this position would be in protection of the public from improperly used pesticides and in protection of our groundwater resources from contamination by toxic chemicals.

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Ecological Specialist - field investigator (Pesticide Registration Section) to conduct marketplace inspection program in the western one-third of Kansas.

The marketplace inspection program is designed to insure that pesticides offered for sale to the public are of proper quality and contain upon the container adequate safety precautions and directions for use. Inspectors also examine products offered for sale to insure that pesticides banned from use by the U.S. Environmental Protection Agency are not being retailed. Currently, two (2) ecological specialists are available on a part-time basis to conduct the program. As a consequence, many stores in the state retailing pesticides have not been inspected for a time exceeding three (3) years. Lack of inspection is more acute in the western Kansas area.

This field position would be assigned to conduct the marketplace inspection program in a thirty-three (33) county area of far western Kansas. Primary benefits of this position would be to the homeowners, gardeners and agricultural growers who use these products. However, environmental considerations of banned products have the potential for impacting all citizens.

Program enhancements requested will add greatly to the divisions ability to meet statutory obligations as well as increasing service to the public and industry. Pesticide misuse complaints will be investigated with initial contacts made within three days of receipt of the complaint. The division's capacity to conduct pesticide enforcement inspections will also be increased and enforcement actions taken in a timely manner. Application exams will be revised on an annual basis and new certificates issued to coincide with date of expiration of previous certification. Business licenses will also be issued in a timely manner.

Purchase of the new computerized grading machine requested at this level will allow the analysis of current pesticide certification exams for question quality as well as grading of exams. This machine has the potential to substantially increase testing program quality and management through the detection of poorly worded questions, etc.

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 Object Code 200
 Subprogram 7212, 7213, 7214
 Actual '86 Combined Total
 Budgeted '87 Combined
 Actual 86 40,234
 Budgeted '87 50,426
 Kansas - n 15,735
 + 20% = 18,882
 approximate amount budgeted
 Assume 5% increase for remain
 24,499 + 5% = 25,723
 Spread:
 7212 15,534
 7213 2,813
 7214 7,377

Object Code 200: Communications:

	<u>FY 1986</u>	<u>FY 1987</u>	<u>A</u>	<u>B</u>	<u>C</u>	Registate Pass.	New Pass.	Total	11/86 DOB Recommend.
Postage	\$ 560	\$ 800	\$ 833	\$ 833	\$ 963		130	130	833
Telephone, Basic	2,574	3,120	3,244	3,244	3,785		541	541	3,244
KANS-A-N	9,189	11,754	8,320	8,320	15,741	4241	3,130	7,421	8,320
NPIRS	--	7,500	7,500	7,500	10,000				7,500
Long Distance	8	--	--	--	--				
Central Mail	1,693	7,571	8,707	8,707	8,707				8,707
TOTAL	\$14,024	\$30,745	\$28,604	\$28,604	\$39,196	4241	3,851	8092	28,604

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Expenditure levels for FY 1987 and FY 1988 appear to be substantially increased over FY 1986 levels in this subprogram because of transfer of dealer registration activities to this subprogram from the Noxious Weed/Record Center subprogram. Further, NPIRS costs were transferred from Object Code 260 to this line item. These are budget shifts and not enhancements.

Communication costs during FY 1986 were also reduced because of the vacancy of three field positions in this subprogram, each for approximately three months duration.

Budget Level A - Same as Budget Level B.

Budget Level B - A total of \$28,604 is requested for funding at this level and reflects the adjustment at each object code for the staff reduction as explained in performance comparisons since the reduced staff functions will still have to be covered by existing staff. \$833 is requested for postage utilized by field staff for routine communications with office, applicators, the public, etc.; \$7,500 is for access costs to National Pesticide Informational Retrieval System, \$3,244 is for basic phone costs; \$8,707 for central mail costs; \$8,320 is requested to cover KANS-A-N costs which reflects the reduction of four ecological specialists from the current staffing.

Increases in amounts requested for central mail is 15% as per budget instructions. Central mail increases also occur because of the transfer of the dealer registration duties to this subprogram. Basic phone costs are not reduced concurrent with the reduction of field positions at this level because this item is an office costs. No deletion of office personnel is projected.

Budget Level C - A total of \$39,196 is requested for funding this level and reflects the needs of the program as explained in performance comparisons. Postage funds of \$963 are requested which reflects a total of \$130 increase over Level B for the inclusion of two new field ecological specialist positions (as per the 3.8% budget instructions.) At this budget level \$10,000 is requested for accessing and updating the National Pesticide Information Retrieval system, NPIRS. The NPIRS is a computer based information resource, describing key characteristics of pesticide products and uses registered by the U.S. Environmental Protection Agency, and state regulatory agencies. Pesticide data is available through a computer network to state and federal regulatory agencies; land grant universities; state and federal scientists; and the pesticide industry; and others working on pesticide related activities. NPIRS was established in October 1983 after a successful pilot program involving Kansas, and the land grant universities, and regulatory agencies in eleven other states. The NPIRS system fills a long recognized need. Past efforts to provide timely information on pesticides has been stymied by rapidly changing use patterns and regulatory decisions. The result was always that by the time any type of

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list was compiled and issued, it was already out of date. A computer network with access to EPA and state registration data is the only current available answer. Kansas registration data is currently in this data base. This subprogram will access this data base for the purposes of retrieval of data on Kansas pesticide labels and allow periodic state and federal updates of information as new products are registered. Access to these files is needed for enforcement of Kansas Agricultural Chemical Act as well as for submission of special requests to the U.S. Environmental Protection Agency under sections 18 & 24(c), of the federal Insecticide, Fungicide, and Rodenticide Act. At present there is no capability within the agency to allow cross referencing of pesticides with manufacturers and suppliers. The basic phone cost of \$3,785 reflects the installation and expense of one added ecological specialist position. Central mail costs of \$8,707 reflect the 15% increase per budget instructions. KANS-A-N costs of \$15,741 reflect the needs of three new ecological specialist positions and the four cut positions from Level B as explained in the performance comparisons. This breaks down to a need of \$12,224 for current staff, \$3,517 for new positions requested.

Object Code 220: Printing and Advertising:

	<u>FY 1986</u>	<u>FY 1987</u>	<u>A</u>	<u>B</u>	<u>C</u>	<u>New Pos</u>
Law and Regulations Book	\$ --	\$ 1,604	\$ 1,668	\$ 1,668	\$ 1,668	
Exam Questions	2,254	1,600	1,664	1,664	1,664	
Investigation Forms	880	915	952	952	952	
Chemigation Forms	1,869	450	467	467	467	
Ag Chem Booklet, Forms	45	700	715	715	715	
Business Cards	628	240	320	320	560	240
Dealer Registration	--	428	450	450	450	
TOTAL	\$ 5,676	\$ 5,937	\$ 6,236	\$ 6,236	\$ 6,476	240

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11/86
 D.O.B.
 Recor.

1,668
 1,664
 952
 467
 715
 320
 450
 6,236

FY 1986 expenditures in this line item are less than those projected for FY 1987/FY 1988; because no monies for reprinting of Agricultural Chemical Act registration forms and law booklets were included for FY 1986. Printing of Agricultural Chemical Act registration forms will be necessary for FY 1987/FY 1988. Pesticide commercial applicator exams, although revised, could not be printed during the FY 1986 period. Substantial reprinting must be done during FY 1987 and FY 1988 to prevent total loss of US/EPA applicator certification enhancement funds. That agency is currently partially withholding funding for FY 1987 because of this problem.

Budget Level A - Same as Budget Level B.

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Budget Level B - A total of \$6,236 is allocated at this funding level. This funding level will allow reprinting of Kansas Pesticide Law and regulations which are provided to licensed and certified applicators, \$1,668, \$320 for printing of business cards; \$467 for printing of pesticide and chemigation registration and application forms and forms used in conduct of investigations and inspections. \$952 for printing investigation forms; \$715 for Agricultural Chemical program booklet, applications, and forms; \$450 for Dealer Registration Program Application forms, and informational letters. A total of \$1,664 is also requested for printing of revised pesticide applicator examinations. The U.S. Environmental Protection Agency is requiring exam revisions as a condition of their grant requirements.

Budget Level C - A total of \$6,476 is requested at this level. This includes Level B items plus \$240 for printing of business cards for three new positions requested under this level for program enhancement.

Object Code 230: Rents:

Budget Level A - Same as Budget Level B.

Budget Level B - A total of \$21,137 is requested at this budget level. This total is made up of \$18,877 for building rent (2,720 sq. ft. at \$6.94/sq.ft.) and \$2,260 for reprographic equipment rental.

Budget Level C - Same as Budget Level B.

Object Code 240: Repairing & Servicing:

	<u>FY 1986</u>	<u>FY 1987</u>	<u>A</u>	<u>B</u>	<u>C</u>
Service Agreements, Typewriters	\$ 30	\$ 40	\$ 43	\$ 43	\$ 43
Service Agreements, Qyx	--	297	308	308	308
Fire Extinguishers	--	--	15	15	15
Data Processing Repairs	--	200	200	200	200
Serv. Agreements, Panasonic Typewriter	114	200	208	208	208
Equipment Repairs	297	75	75	75	75
TOTAL	\$ 441	\$ 812	\$ 849	\$ 849	\$ 849

The increase in Qyx service agreement from FY 1986 to FY 1987 is due to the transfer of this machine from administrative subprogram to pesticide use subprogram. In addition, the Panasonic typewriter reflects only the partial year of maintenance for FY 1986.

DOB USE ONLY

11/86
DoB
Recom

21,137

11/86
DoB
Rec.

43

308

15

700

208

75

849

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Budget Level A - Same as Budget Level B.

Budget Level B - At this level of funding a total of \$849 is requested. This cost represents the cost of service agreements on typewriters \$559; data processing equipment repairs \$200; repairs of professional equipment utilized by this subprogram \$75 and service of this subprogram's fire extinguishers \$15.

Budget Level C - Same as Budget Level B.

Object Code 250: Travel & Subsistence:

		FY 1986		FY 1987	A	B	C	Paristate
In-state								
Mileage	226,405 mi.	\$ 46,413	254,872	\$ 52,250	46,799	\$ 51,885	72%	\$ 52,904
Meals	--	--	404	5,586	5,000	5,404	7%	5,404
Lodging	373	14,900		16,150	18,000	15,200	17,180	15,560
Motor Pool	34,463 mi.	5,514	71,700	11,472	--	--	--	--
Non-subsistence		501		580	500	580		580
Other	7866 mi 260,868	104		115	100	115		115
Subtotal	FY 86 326,588	\$ 67,432		\$ 86,153	\$ 72,685	\$ 74,563		\$ 94,274
				76,966				14,911
Out-of-state								
Meals		\$ --		\$ 72	\$ --	\$ 72		\$ 72
Lodging		805		180	--	180		180
Mileage		50		35	--	35		35
Air Fare		763		598	--	600		600
Registration		240		125	--	125		125
Non-subsistence		59		20	--	30		30
Subtotal		\$ 1,917		\$ 1,030	\$ --	\$ 1,042		\$ 1,042
TOTAL Travel & Subsistence		\$ 69,349		\$ 87,183	\$ 72,685	\$ 75,605		\$ 95,316
				77,481				

FY '87
 Mileage 228,290 x .205 = 46,799
 71,700 x 16 = 11,472

DOB USE ONLY

	New	Total	Rec.
187 D08			1186
Mileage 228,290 x .205			46,799
46,799			
400 days @ 45 = 18000			
188			
380 days @ 45 = 17100			
			1186
			49,123
			4,234
			14,503
			19,600
			450
			75
	5000	19,711	69,685
			note average of 6,980.5
			2,448
			1,332
			-0-
			69,685
			cut 3,100

Object Code 250: Travel & Subsistence:

Amounts requested are based upon historical needs of this subprogram. FY 1986 allowances were insufficient to the point of being critical. Some agricultural pesticide misuse case investigations were required to be delayed

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until the start of the new fiscal year with loss of evidence (pesticide residues) occurring in the intervening period. New and revised programs; Dealer Registration, Pesticide Use, and Agricultural Chemical due to reorganization and legislative revisions resulted in three vacancies for approximately a three month period. Severe budget shortages required reduced travel allotments (a travel reduction in April and May; no travel, except emergency, in June) no misuse investigations or marketplace inspections, except for emergency, were performed during June. This circumstance resulted in a substantial catch-up program be initiated to pick up those investigations and inspections left pending in FY 1986.

Budget Level A - At this level of funding \$72,685 is allocated. This request does not allow for any out-of-state travel. This reduced level of funding will cover only in-state travel for this subprogram's employees and will not allow adequate travel needs to conduct pesticide misuse investigations, pesticide dealer inspections, marketplace inspections and business license compliance checks as required by state statute.

Budget Level B - At this level, a total of \$52,904 for mileage, \$5,404 for meals, \$580 for non-subsistence items, \$115 for other travel expenses, and \$15,560 for lodging costs. Travel and subsistence costs for the four permanent positions deleted by this allocation level are not included. The amounts requested will allow remaining field staff positions to continue routine pesticide misuse investigations, pesticide product dealer and marketplace inspections and business license compliance checks as required by statutes administered. The remaining positions will still cover the same statewide area. This causes a per capita increase.

An additional \$1,042 is requested for out-of-state travel to allow attendance by the pesticide use section administrator of the National Symposium on chemigation. It is critical that this subprogram be able to maintain the expertise of its professional staff in the chemigation area. Implementation of the new law continues in this subprogram. Further, rapid regulatory changes are occurring at the national level in this area.

Budget Level C - This level of funding includes travel and subsistence costs for four permanent field positions required to be deleted under Budget Levels A & B. Funding for travel of new positions requested under this level to allow enhancement of the current program is also included.

At this level of funding, \$94,274 is requested for in-state travel of which \$5,000 is to fund new program enhancement positions. The remainder would be sufficient to allow adequate funding of and routine work by all existing permanent field staff positions which will have to continue to cover the entire area and total program responsibilities. A breakdown of this request is as follows: mileage for existing staff \$69,947, meals for existing staff \$6,062, lodging for existing staff \$17,570, Non-subsistence items \$580, and \$115 for other travel expenses.

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No additional request for out-of-state travel is made beyond that requested in Budget Level B.

Object Code 260: Fees-Other services:

	<u>FY 1986</u>	<u>FY 1987</u>	<u>A</u>	<u>B</u>	<u>C</u>	<u>New Pos.</u>	<u>DOB USE ONLY</u>
NPIRS	\$ 533	\$ --	\$ --	\$ --	\$ --		11/86 Dist Rec.
College Tuition	159	--	--	--	--		
Film Processing	556	960	800	800	1,250	450	800
Kansas Register	140	145	150	150	250		150
Press Clippings	59	75	80	80	80		80
TOTAL	\$1,447	\$1,180	\$1,030	\$1,030	\$1,580	450	1,030

The monetary decrease from FY 1986 to FY 1987 is a result of NPIRS being transferred from Object Code 260 to 200. The \$260 decrease in A & B is due to the decrease in staff positions. The remaining staff persons will continue to do as much of the total work load, therefore, even though staff is decreased by 1/3 the total monetary figure would not decrease by 1/3.

Budget Level A - Same as Budget Level B.

Budget Level B - A total of \$800 is requested for processing of film for investigative case file purposes. The decrease from previous budget costs is due to cost reductions explained in performance comparisons. \$150 is requested for anticipated notices to appear in the "Kansas Register" as required by statute. \$80 is the amount billed for press clipping fixed cost.

Budget Level C - \$1,250 is requested for film processing for field staff compliment plus three new ecological specialist positions. The processing is required under Federal grant conditions as a part of investigative case file preparation. \$250 is requested for the Secretary of State for "Kansas Register" notices for public hearings to be held on all law and regulation changes, 24c Special Local Need label approvals, and statutory changes for program fee requests. \$80 is requested for press clipping fixed cost.

Object Code 290: Other Contractual Services:

Budget Level A - Same as Budget Level B.

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Budget Level B - This level reflects professional dues and subscriptions needed to maintain up-to-date in a constantly changing field of professional endeavor. \$20 is requested for dues to the Kansas Fruit Tree Growers Association and \$430 is requested for subscriptions to Pest Control magazine, Hi Plain Journal newspaper, and Pesticide and Toxic Chemicals News. The journal is an excellent source for keeping pace with Kansas Agricultural happenings statewide. The Pesticide and Toxic Chemical News is an up-to-the-minute publication of Federal EPA and other states activities and actions regarding all aspects of pesticides and is a very useful tool.

Budget Level C - Same as Budget Level B.

Object Code 340: Maintenance & Construction Materials, Supplies & Parts:

Budget Level A - Same as Budget Level B. *New Positions - \$24*

Budget Level B - \$141 is requested for this level and includes \$90 for light bulbs for the work area ceiling lights in the State leased building and \$51 for dry cell batteries for camera flash attachments and flashlights for field staff and reflects the reduced staff as explained under Performance Comparison.

Budget Level C - \$165 is requested for this level. \$75 is requested for dry cell batteries for camera flash attachments and flashlights and reflects the three new ecological specialist positions. The cost for ceiling light bulbs in the State leased building remains the same as Level B regardless of number of staff.

Object Code 360: Professional & Scientific Supplies & Materials:

	<u>FY 1986</u>	<u>FY 1987</u>	<u>A</u>	<u>B</u>	<u>C</u>	<i>Reinstated</i>	<i>New</i>	<i>Total</i>
Investigation Supplies	\$ 249	\$ 1,840 ⁸⁰⁰	\$ 1,655 ^{1,000}	\$ 1,655	\$ 2,356	441	260	701
Film & Batteries	328	1,000 ⁵⁰⁰	750	750	1,040		290	290
Display Material	29	--	--	--	--			
Technical Material	550	570 [✓]	370	370	720	200	150	350
Pesticide Samples	289	900 ⁵⁰⁰	800	800	1,084	284		284
Chemigation Material	--	--	--	--	--			
Equipment Decals	458	504 [✓]	524	524	524			
Air Sampling Supplies	--	--	--	--	200			
TOTAL	\$ 1,903	\$ 4,814	\$ 4,099	\$ 4,099	\$ 5,924	925	700	1,625

2,674

3,444

DOB USE ONLY

DOB Rec.

\$141

DOB
Recom.
11/26

1,000⁸

750

370

800

524

3,444

cut 655

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The substantial increase from FY 1986 is due to quantity buying for best price in years past. These stocked supplies are dwindling and must now be replenished. The increase also reflects conditions during FY 1986 which led to a reduction in travel the last four months and the reduction of all but emergency investigations and inspections. During this period essentially no expenditures for this line item occurred. This increase also will reflect the necessary catch-up of expenditures.

Budget Level A - Same as Budget Level B.

Budget Level B - The requested **\$4,099** for this object code reflects the necessary investigative supplies for enforcement programs and is based on reduced staff as explained in Performance Comparison. **\$1,655** is requested for investigative sampling supplies such as sample container glassware, plastic bags, and supplies for the new water sampling program under the Chemigation Safety Law. **\$750** is requested for camera film and camera batteries is used for investigative program documentation and for preparation of slides for educational and training presentations and cassette tapes for use in dictating and program presentations. **\$370** is requested for technical literature, specifically the Farm Chemicals Handbook, which is a technical publication of all farm chemicals, use data, toxicity data, trade and technical name, and basic producers. This publication is most useful and is essentially referred to on a daily basis by both field and office staff. **\$800** is requested to purchase marketplace shelf samples to be analyzed by the Kansas State Board of Agriculture Laboratory for assurances of stated active ingredient contract to the purchaser. The amount for FY 1986 was considerably less due to new personnel and programming as a result of reorganization and to end of year travel limitations. **\$524** for equipment decals is a known cost for purchasing decals for identification of aircraft used for aerial pesticide application.

Budget Level C - **\$5,924** is requested and reflects the increased costs due to personnel as explained in Performance Comparison. It is necessary to the operation of this subprogram to purchase supplies for conducting use/misuse investigations. Supplies such as jars, lids, and bags are necessary for the collection of pesticides, soil, and vegetation samples to be submitted to the Kansas State Board of Agriculture Laboratory for analysis. At this level of funding, a total of **\$2,356** is requested for these expenses. Film and camera batteries are also necessary for conducting investigations. Photographs of damaged areas are taken as evidence of damage and become a part of the official files. At this level of funding **\$1,040** is requested to cover the cost of film and camera batteries expended in this aspect of subprogram operations. Technical material is purchased by this subprogram in order to keep employees up-to-date and to maintain a level of current professionalism. At this level of funding, **\$720** is requested to purchase technical materials for such expertise development. **\$1,084** is requested to cover the expenses relating to the purchase of pesticide samples from the marketplace for analysis by the laboratory to insure compliance with the Agricultural Chemical Act. **\$524** is requested to purchase equipment

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decals as stated in Budget Level B. It is necessary to purchase supplies for normal operation of air sampling equipment. At this level of funding \$200 is requested for such expense. Pesticide drift and household contamination have been identified as pesticide enforcement program priority. Air sampling will help determine if pesticides are present in the air regarding health and plant damage complaints. This activity has been identified as a program objective. Air sampling equipment was purchased by this subprogram in FY 1985. These supplies are necessary to maintain that equipment in a performance mode.

Object Code 370: Stationery & Office Supplies:

	<u>FY 1986</u>	<u>FY 1987</u>	<u>A</u>	<u>B</u>	<u>C</u>	<u>Remstate</u>	<u>New State</u>	<u>DOB Rec.</u>
Telecommunication	\$ 373	\$ --	\$ --	\$ --	\$ --			
Stationery, Forms	854	1,883	1,972	1,972	1,972			
Office Supplies	1,313	1,700	1,500	1,500	1,765		265	265
Chemigation	190	400	600	600	600			
Dealer Registration	126	394	409	409	409			
Qyx & Panasonic Typewriter	194	542	533	533	533			
Computer Supplies (office & field)	--	250	200	200	300	100	100	
TOTAL	\$ 3,050	\$ 5,169 _{4,500}	\$ 5,214 _{4,500}	\$ 5,214	\$ 5,579	100	265	365
								4,500 cut 714

DOB USE ONLY

Increases in this object code in FY 1987 & FY 1988 reflects the transfer of the Dealer Registration Program to the Pesticide Use subprogram, which effects most categories listed above.

Budget Level A - Same as Budget Level B.

Budget Level B - At this funding level \$5,214 is requested and adjusted for reduced staff according to Performance Comparison. \$1,972 is requested for the purchase of office supplies, mailing labels, copy paper, pens, and other miscellaneous office supplies used by this subprogram. \$1,500 is requested for printing office forms, certification forms, enforcement forms, stationery, envelopes, file folders, and other miscellaneous printing supplies used by this subprogram. \$600 is requested for supplies utilized in the Chemigation program. \$409 is requested for supplies utilized in the Dealer Registration program. \$533 is requested for Qyx and Panasonic supplies and \$200 for office and field staff computer supplies. Even though staff reductions occur, office supplies will remain essentially the same.

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Budget Level C - A total of \$5,579 is requested for Level C. This is an increase of \$365 for office supplies and reflects the additional persons as explained under Performance Comparison. The remainder of the line items in this level remain as in Level B.

Object Code 390: Other Supplies, Materials, Parts: *New Position 100*

Budget Level A - No request made.

Budget Level B - No request made.

Budget Level C - A total of \$100 is requested at this level for name tags and small tools for the three new program enhancement positions requested at this level.

Object Code 400: Capital Outlay: *New Position 4,280*

Budget Level A - No request made.

Budget Level B - No request made.

Budget Level C - A total of \$7,870 is requested at this level. This includes \$750 for replacement of non-repairable cameras utilized by enforcement staff members in conduct of investigations and inspections. This amount is a part of the U.S. Environmental Protection Agency pesticide enforcement grant agreement and would be purchased with funds from that source.

Also included at this level is \$1,800 for one Zenith Z-150 computer with network board and memory upgrade and a 256 K memory expansion upgrade for use in case preparation and tracking. The U.S. Environmental Protection Agency is currently strongly recommending that this subprogram adopt an electronic case tracking system. This item would also be utilized in preparation of notices of hearings, hearing transcripts and similar legal documents.

An additional item requested at this level is a 1200 Baud modem, \$200 for communication with the National Pesticide Information Retrieval System for exchange of data on registered pesticides. This item would replace a borrowed 300 Baud modem in current use and would over the next two years pay for itself by decreased communication line time costs. \$300 is also requested for purchase of increased network data storage for the machine utilized in storage and processing of pesticide product registration and dealer registration information.

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This equipment is currently near capacity in both data storage and use time.

Also requested at this level is \$540 for three file cabinets, one each for the Chemigation program, the Ag Chemical program, and the Dealer Registration program. These storage files are necessary to maintain active file records for each of these programs.

The following items are necessary to equip new positions: two cameras \$500; six camera lenses \$1,200 (2 close-up lenses, 2 telephoto lenses and 2 zoom lenses); three desks \$1,050; three chairs \$570; three file cabinets \$540; two binoculars \$200; and two tape recorders \$220.

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SUBPROGRAM: RECORDS CENTER (Previously included with Noxious Weed Law activities as a single subprogram, the Records Center has been made an independent subprogram. Activities conducted by the Records Center are in support of pesticide business licensing and applicator certification duties of the division and do not specifically support the program of control of noxious weeds. Further, some functions of Records Center duties and workload are highly cyclical in nature. Designation of the Records Center as a separate subprogram should benefit management of the section and allow more critical analysis of the cyclical personnel needs of this subprogram.)

PROGRAM EXPLANATION: This subprogram performs clerical, fiscal and recordkeeping responsibilities in connection with the Kansas Pesticide Law (K.S.A. 2-2438 et. seq.) and, in doing so, provides support to all division sections in matters dealing with the business licensing and applicator examination and certification.

Activities of this subprogram include:

1. Receiving, receipting, depositing and maintaining records of fees received under the Kansas Pesticide Law in connection with certification, business licenses and government agency registrations.
2. Receiving, reviewing and determining acceptability of statute-specified prerequisites submitted toward licenses, certification and government agency registrations.
3. Issuing licenses, certificates and government agency registrations and issuing decals for marking of pesticide application aircraft.
4. Grading examinations required of pesticide applicators for certification.
5. Maintaining records in connection with licensing of pesticide businesses, certification of individual private and commercial pesticide applicators and with the registering of government agencies for pesticide application work.
6. Checking and maintaining records of commercial applicator recertification training attendance.
7. Corresponding with applicators, licensees, government agencies and the general public.
8. Making court appearances to testify as to information in maintained records, or supplying notarized affidavit of same.
9. Furnishing information to Division of Plant Health field staff and administrators for their use in performing Kansas Pesticide Law enforcement, administrative and program management duties.

DOB USE ONLY

Attachment 1
3-4-87
Small signature

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The certification portion of the Records Center workload is cyclic in nature, as represented on the following graph. Business licenses and government agency registrations renew annually and are at about the same volume each year. The business licensing and government agency registration portion of the Records Center's workload is NOT included on the following chart. (See chart on next page.)

STATUTORY HISTORY: The Records Center was created in 1977 and was assigned clerical, fiscal and recordkeeping responsibilities in connection with the Kansas Pesticide Law (K.S.A. 2-2438 et. seq.) which came into effect that same year.

In 1981, the Kansas Pesticide Law was amended to provide an extended certification period for private applicators, establish the private certification expiration on the applicator's birthday, and change the private renewal certification process from Kansas State University Extension training to a Kansas State Board of Agriculture mail-out examination procedure.

The 1982 Legislature amended the Kansas Pesticide Law, increasing the surety bond requirement for business licenses and adding commercial certification as a prerequisite for business licenses.

The 1985 Legislature amended the Kansas Pesticide Law to require the licensing of all businesses which apply general use pesticides and simplified the procedure for suspension of a pesticide business license in instances where the licensee's liability insurance is cancelled or terminated.

PROPOSED BUDGET YEAR OPERATIONS: This subprogram's major functions for FY 1988 will include:

1. Sending renewal examinations, manuals, applications and other necessary forms to certified private applicators whose 5-year certificates are scheduled to expire on applicator's birthday during calendar year 1988.
2. Sending renewal notices and forms to certified commercial applicators whose 3-year certificates are scheduled to expire 12/31/87.
3. Sending renewal notices and other necessary forms to licensed businesses and registered government agencies whose annual license/registration will expire 12/31/87.
4. Receiving, depositing and maintaining records of fees received in connection with certification, business licenses and government agency registrations.
5. Providing information and forms to those pursuing first-time certification, business license or government agency registration.

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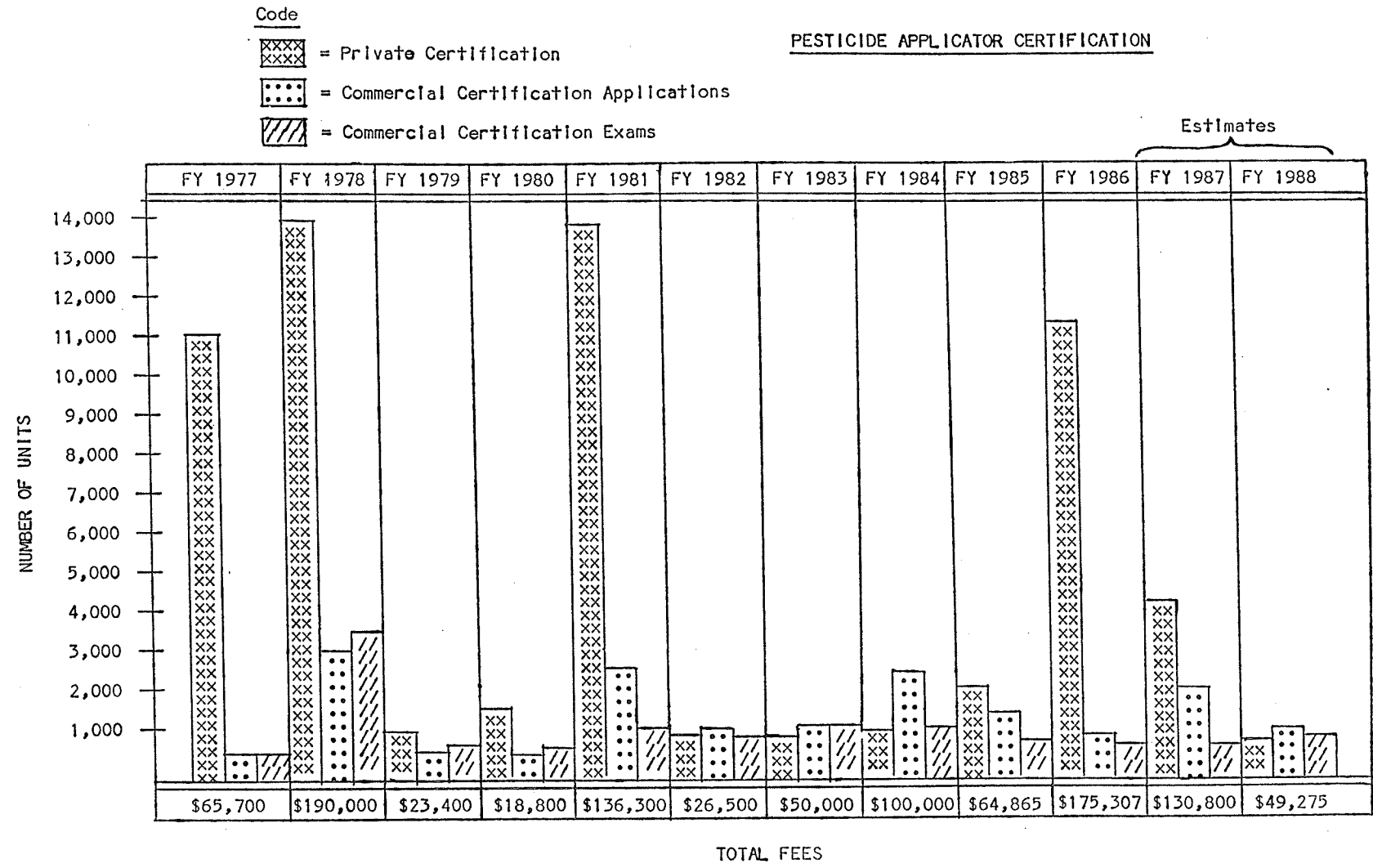
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NOTE: This graph does NOT include business licenses and government agency registrations which are a part of the Record Center's workload, but which are at about the same volume level each year. This graph represents certification only, which is the cyclic portion of the Record Center's workload.

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6. Grading certification exam answer sheets submitted by applicators and maintaining records of same.
7. Receiving, reviewing and determining acceptability of application items submitted toward meeting requirements for certification, licensing and agency registration.
8. Issuing licenses, certificates, government agency registrations and aircraft decals and maintaining records of same.
9. Sending, in advance, reminder notices to business licensees whose liability insurance is scheduled to expire during the license year; initiating license suspension notice when business licensee's liability insurance expires, is terminated or cancelled; reinstating license when new insurance certificate is received; and maintaining records of such liability insurance matters.
10. Providing information to Division of Plant Health field staff and administrators for their use in performing Kansas Pesticide Law enforcement, administrative and program management duties.
11. Responding to inquiries from, and other communication with, applicators, businesses, insurance companies, county extension offices, government agencies and general public.

LONG TERM TRENDS: The U.S. Environmental Protection Agency has taken a number of steps at a national level which will, over the next few years, result in increases of numbers of pesticide applicators requiring certification. Steps taken are primarily a result of concern of the citizenry of the nation over contamination of groundwater, chronic or long term effects to humans of pesticide use and health effects of contamination of homes by structural pest control treatment. As a consequence, this subprogram will be asked to handle increasing numbers of licenses, registrations and certificates in the future.

PROGRAM PURPOSE: This subprogram provides support to all division sections in matters dealing with business licensing and applicator examination and certification.

PROGRAM OBJECTIVES: Program objectives of this subprogram include: (a) contributing to the economy and safety of Kansas citizens by issuing certificates only to examined/trained pesticide applicators and by keeping detailed records of the certified applicators, licensed businesses, and registered government agencies; (b) to maintain accurate, auditable fiscal and documentation records; and (c) to carry out responsibilities in a cost-efficient manner while providing quality performance.

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PERFORMANCE INDICATORS:	FY 1986	FY 1987	FY 1988		
			A	B	C
License, Registration, Certificate Processing and Issuance	50%	70%	55%	60%	100%

DOB USE ONLY

PERFORMANCE COMPARISON:

Some improvement in FY 1987 performance should be realized over that of FY 1986. Staffing level for FY 1987 is comparable to that of FY 1986. FY 1987 will have impact from the volume-peak of calendar year 1986 private certification renewals, but fewer 1986 renewal applications are anticipated than during FY 1986. In FY 1987, there will be a work volume peak in the commercial certification 3-year renewal cycle.

Budget Level A - This level of FY 1988 funding for communications and for office supplies will not be sufficient to meet this subprogram's needs for effective operation. The insufficiency in communication funding could result in the Records Center's not being able to return telephone calls to applicators via KANS-A-N, as occurred during FY 1986 due to lack of sufficient funding. Communication with individual applicators and businesses regarding Kansas Pesticide Law requirements is a critically important part of this subprogram's functions; therefore, adequate communication funding is needed for efficient operation. Since the Records Center's assigned responsibilities are primarily clerical in nature, insufficient funding for office supplies would have a negative impact--it could result in lack of adequate filing supplies and other recordkeeping supplies, and it could also mean that some notice forms will not be sent to applicators (such notices could include those required under the Kansas Administrative Procedures Act). FY 1988 funding for staffing at this budget level is the same as for Budget Level B; therefore, please refer to Budget Level B for discussion that applies to both Budget Level A and Budget Level B.

Budget Level B - Due to the drastic reduction in personnel at this budget level in FY 1988, staffing will not be sufficient to accomplish application processing, document issuance and associated duties in a timely manner. The number of applications for annual business licenses and government agency registration will be fairly similar to that of FY 1987. These annual license and registration renewals and the 3-year commercial certification renewals occur at the end of each calendar year with a high volume of applications received in a few weeks time. Insufficient staffing at this budget level would result in backlogs of unprocessed applications and delays in issuing licenses and certificates. Such delays would have an impact on the public served, in that they could not buy or apply pesticides without required certificates and licenses, resulting in potential loss of business income for them.

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Budget Level C - This level of FY 1988 funding provides adequate resources for effective operation of this subprogram and will allow enhancement of capabilities for evaluating, developing, and grading of statute-required written examinations. Funding at this level would provide the basic staff needed in "off-years" in the certification renewal cycle, to avoid problematic work backlogs and delays in issuing licenses, certificates and registration.

EXPENDITURE JUSTIFICATION:

Object Code 100: Salaries and Wages: *Reinstated 17,945* *New Position 14,813* *Total 32,758*

For some time, there has been a lack of understanding of the staffing needs of the Records Center, which has resulted in a chronic lack of sufficient staffing. In the first few years after the Center was established, clerical assistance was requested in the form of temporary classified employees to supplement the four full-time positions. The budget requests for temporary personnel fluctuated each fiscal year, depending upon the anticipated workload, and problems developed in the understanding and acceptance of requests for temporary help in such fluctuating patterns. Three permanent intermittent positions were created to somewhat level off these fluctuations in funding requests, while supplying the short-term clerical assistance needed each year.

In the process of budgeting for FY 1986 (a year which would include the volume peak in the 5-year private certification renewal cycle), the submitted budget request asked for continuance of four full-time positions, two permanent intermittents, asked for about 12 months of temporary clerical, and requested a new full-time clerical position for business license work. The budget request carried the conditional statement that if the new full-time position was not approved the former level of three intermittents needed to be maintained (to supplement the four full-time and 12 months of temporary). The actions on that budget request for FY 1986 not only denied the new full-time position requested, but also deleted one permanent intermittent position and granted no funding for temporary employees. This left the Records Center seriously understaffed for a year in which work projections and anticipated fees receipts were high, as explained in the budget narrative and as illustrated in a graph which accompanied the budget request. It appears that graphs and written narrative justifications have failed to receive the understanding or attention needed to get funding to staff the Center adequately.

Some of the results of the understaffing of the Records Center for FY 1986 included:

1. An approximate 3-4 month backlog of unprocessed certification applications and a corresponding 3-4 month delay in issuing certificates.irate farmers, concerned county extension agents, and even a few legislators contacted the Records Center and agency administrators to express displeasure and anxiety, and to see what was causing the delay. Farmers needed their certificates so they could buy and apply pesticides. Delay in obtaining certificates (and the pesticides) could result in a decrease in their crop production.

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2. An approximate 3-month delay occurred in getting business licenses issued. Businesses expressed anxiety and frustration because they had not received licenses required by the Kansas Pesticide Law. Without the license, they could not work, meaning a loss of business income for them.
3. Backlogs and delays in issuance would have been worse if the administrative officer had not been willing and able to devote extra time (about 30 hours per week during after-hours and weekends for about 6 months) helping with the private certification clerical work. That experienced person's uncompensated extra-time equated to the approximately 6 months lost by the deletion of the 49%-time permanent intermittent position. This person's extra work eased the situation somewhat, but backlogs and delays in issuance still occurred. Extra-time work by any staff person is not the best solution to the problem of understaffing. Principles of good management call for providing adequate staffing to accomplish assigned responsibilities.
4. Another result of the understaffing for FY 1986 was the very negative and stressful impact on attitudes, emotions and mental health of the Records Center staff who made every effort to accomplish the work (in spite of the understaffing).

To adequately staff the Center, a minimum, basic staff of 5 full-time positions plus 2 permanent intermittents is needed each year. In some years, temporary help may be needed to supplement the basic staff--such needs would fluctuate in the cyclic pattern of private and commercial certification renewal volumes.

Business licenses and government agency registrations renew each year, so they do not have the fluctuating renewal pattern that exists in the 3-year commercial certificates and the 5-year private certificates. The full-time clerical position requested in Level C of the budget would primarily handle business license insurance certificate and surety bond matters. (It repeats the request made for this position for FY 1986, but which was denied in that budget.) A high percentage of insurance certificates received in the Records Center are not acceptable for various reasons, such as: not issued by a company authorized by the Kansas Insurance Department; not signed by an appropriately licensed Kansas insurance agent; etc. Sometimes, certificates need to be returned for correction two or three times before they are received in acceptable form. Because of problems that licensees are presently experiencing in finding carriers that will write insurance for pesticide businesses, there has been an increase in the number of license suspensions due to expired insurance, and an increase in work-time associated with insurance matters. Such work goes on steadily throughout each year, requiring a well-trained person's full-time attention to it.

Business licenses, government agency registrations, and commercial certificates have a statute-specified expiration date of December 31. Therefore, regardless of the certification renewal cycle, a large volume of applications are received in two months' time at the end of each year. The permanent intermittent positions are needed to assist in processing this volume every year. Without the help of the intermittents, there would be serious backlogs of unprocessed applications and corresponding delay in issuing licenses, commercial

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certificates, and agency registrations. Without the assistance provided by the permanent intermittents, it is likely that a business which submits a license application in December would not receive its issued license until March or April, meaning a potential of 3 or 4 months of lost income for the business.

If the two intermittent positions are not funded for FY 1988, the positions will be lost, meaning that the positions would need to be re-established, going through Division of Personnel procedures again when and if the positions are approved in a future budget. The Records Center needs to have well-trained persons in order to operate efficiently. The wisdom, efficiency, and cost-effectiveness of hiring and training new personnel each year is questionable.

No funding is requested for FY 1988 for temporary clerical to help with certification work. The request for temporary clerical in Level C of this budget is for assistance on business license work--it continues the temporary clerical originally granted as an impact of 1985 legislation, H.B. 2470, which removed the licensing exemption for those businesses which apply general use pesticides by ground application methods for agricultural purposes.

Budget Level A - Same as Budget Level B.

Budget Level B - At this level of funding, a total of \$86,616 would be requested. This funding level represents a decrease of \$13,147 (13%) from FY 1987. The decrease in funding means that two permanent intermittent positions would not be staffed, and all temporary clerical would be eliminated from the previous staffing pattern. Funding at this level would provide for continuous staffing of four full-time permanent positions: an administrative officer II, two office assistant IV positions, and one keyboard operator I.

At this level of funding, the number of staffed positions will be insufficient to accomplish timely issuance of licenses and certificates. During the spring 1986 season, lags of three months were common in getting licenses and certificates issued. These delays caused major hardships to many farmers and businesses needing to apply planting-time herbicides and other pesticides. Longer, more serious delays and resultant hardship to a greater number of farmers and businesses can be expected at this budget level.

Budget Level C - At this level of funding, \$119,374 is allocated. This level continues the FY 1987 staffing pattern of four full-time positions, two permanent intermittent positions, and approximately four months of temporary clerical, and requests the addition of one full-time permanent keyboard operator I. The previous staffing pattern plus the new position is the staffing level necessary to provide applicators and businesses with necessary certificates and licenses in a more timely manner. Recent budgets have limited position numbers to a minimal level that has proven to be insufficient to accomplish timely issuance of certificates and licenses. Delays in issuance of certificates and licenses have caused major hardship to farmers and businesses. Such delays can be expected to continue, and possibly worsen, if salaries and wages are funded at less than this budget level.

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Object Code 200: Communications:

	FY 1987	A	B	C	New Position
Central Mail	\$7,069	\$6,370	\$6,900	\$7,820	
Basic Phone	1,950	2,028	2,028	2,569	541
KANS-A-N	830	863	863	953	90
TOTAL	\$9,849	\$9,261	\$9,791	\$11,342	631

Also reduced 1/8
16-77
Adjusted 16-77
158
8,207
7,715

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Funding in this object code is used by this subprogram to: provide information to individuals and businesses regarding licensing and certification requirements of the Kansas Pesticide Law; to advise applicants of any deficiencies in their meeting licensing and certification requirements; to send renewal notices; to mail issued documents; to send license suspension notices and license reinstatement notices; to communicate with other states on reciprocal certification matters; to respond to Open Records Act requests for information from public records; to communicate with division field staff, Kansas State University, county extension offices, county weed departments, insurance companies, bonding companies, and others.

For FY 1988, communications of this subprogram would include: sending license renewal notices to 1,200 businesses; insurance renewal notices to 1,000 businesses; registration renewal notices to 165 government agencies; renewal notices to 854 certified commercial applicators; renewal notices to 375 certified private applicators; sending issued licenses to 1,200 businesses, issued certificates to 865 commercial applicators, issued certificates to 650 private applicators; issued registrations to 160 government agencies; issued aircraft decals to 200 aerial applicator businesses; sending 540 license suspension and license reinstatement notices to businesses; sending 200 reciprocal certification packets to applicators; exam results to 1,500 applicators; 300 business license packets to potential new licensees; 4,500 letters regarding application deficiencies; some 2,500 pieces of other correspondence including response to inquiries, correspondence with other states, responses to Open Records Act requests, etc. Many of these mailings exceed one ounce in weight; therefore, the average cost per item is over 22 cents. Whenever possible, third-class bulk mail is utilized by this subprogram to economize postage expenses. At Budget Level A, Central Mail base charge was \$5,539, a \$1,539 (22%) reduction from FY 1987; base charge at Level B was \$6,000, a decrease of \$1,069 (15%) from FY 1987; and Level C base charge was \$6,000, a decrease of \$1,069 (15%) from FY 1987; and Level C base charge was \$6,800, which is \$269 (4%) less than FY 1987. Per budget instructions, 15% was added to base charges for increase in Central Mail handling fees, resulting in Central Mail costs at each budget level, as follows: Level A, \$6,370; Level B, \$6,900; and Level C, \$7,820.

KANS-A-N is utilized by this subprogram for all its interstate and intrastate telephone calls. A similar "off-year" in the certification renewal cycle (FY 1985) was used as a history base in estimating KANS-A-N needs

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for FY 1988. Each year, most of this subprogram's KANS-A-N costs are in connection with annual business licenses. Because of the problems presented by licensees' difficulty in finding carriers who will write insurance for pesticide businesses, an even greater amount of KANS-A-N costs in FY 1988 can be expected to be related to business licensing matters.

Budget Level A - At this level of funding \$9,261 would be requested. This level of funding includes \$6,370 for Central Mail, basic telephone costs and KANS-A-N remains the same as requested in Budget Level B. At this level of funding certification material, exam results, unmet requirement letters, certificates, etc., will be mailed together when possible.

Budget Level B - At this level of funding, a total of \$9,791 would be requested. This includes \$6,900 for central mail; \$2,028 for basic telephone costs; and \$863 for KANS-A-N. These amounts represent funding needed for the above-described communication expenses of this subprogram. At this level, funding would not be available for the sending of more than one notice to applicants regarding unmet requirements.

Budget Level C - At this level of funding, a total of \$11,342 is requested: \$7,820 for central mail; \$2,569 for basic telephone costs; and \$953 for KANS-A-N. Increases include \$920 increase in postage to provide more than one notice to applicants regarding unmet requirements; adds \$541 basic telephone for requested new clerical position; and adds \$90 for KANS-A-N use by requested new position.

Object Code 220: Printing and Advertising:

	<u>FY 1987</u>	<u>A</u>	<u>B</u>	<u>C</u>
Business Licensing	\$ 560	\$ 582	\$ 582	\$ 582
Certification	1,200	700	700	700
Computer Certificates	700	700	700	700
TOTAL	<u>\$2,460</u>	<u>\$1,982</u>	<u>\$1,982</u>	<u>\$1,982</u>

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Budget Level A - Same as Budget Level B.

Budget Level B - At this funding level, a total of \$1,982 is allocated. This funding level represents best estimates of minimum cost of printing forms and materials for this subprogram to carry out its assigned responsibilities in connection with the Kansas Pesticide Law. Funding at this level is a \$478 decrease from FY 1987 reflecting \$500 decrease in costs associated with certification, due to decrease in numbers of certificates scheduled for renewal during FY 1988, and a \$22 increase (4% per budget instructions) in costs associated with business licensing, which varies little in work volume from one year to the next.

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Funding in this object code is for such items as: application forms, insurance certificates, surety bonds, examination rosters, examination answer sheets, information leaflets, renewal notices, continuous-feed forms for computer printing, and other such materials which would not be feasible to reproduce by mimeograph.

Budget Level C - Same as Budget Level B.

Object Code 230: Rents:

	<u>FY 1987</u>	<u>A</u>	<u>B</u>	<u>C</u>	<u>New Pos.</u>
Reprographic Equipment	\$598	\$670	\$670	\$930	260
Exam-grading Machine	300	300	300	--	
TOTAL	<u>\$898</u>	<u>\$970</u>	<u>\$970</u>	<u>\$930</u>	<u>260</u>

DOB USE ONLY

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Under provisions of the Kansas Pesticide Law, pesticide applicators are required to pass written examinations in qualifying for certification. So, exam-grading is one of the major work functions of this subprogram. The two exam-grading machines in use at the time of this budget writing were purchased in early 1977. Their age and obsolescence make it increasingly more difficult to get repair parts, and the machines are no longer reliable. A new exam-grading machine is necessary to provide reliable accuracy in grading of the statute-required examinations and to avoid slowdown of work outputs. When the old machines break down, there is a delay in work outputs, thereby also causing delay in issuing certificates and licenses. Such delays create hardships for individual applicators and businesses who need their certificates or licenses before purchasing or applying pesticides. Hand-grading the exams is not a feasible alternative because of the volume of exams and the slowness of hand-grading. It takes approximately 3 minutes to hand-grade an examination, compared to about 2 seconds to grade with a machine in good working order. This means that about 90 exams could be graded by machine in the same length of time it takes to grade one exam by hand.

In FY 1987, funding allocation is made to lease a "stand-alone" exam-grading machine as a stop-gap measure to provide a reliable way to grade exams until a long-term decision is made regarding the exam-grading machine situation in the Records Center. "Stand-alone" means that the machine would not be connected to a computer. Examination information would have to be key-entered into the computer as an operation separate from the exam-grading. FY 1988 Budget Levels A and B provide for continuing the leasing of the stand-alone exam-grading machine.

Stand-alone grading machines, because of their mechanical nature, wear out more readily than electronic graders, require more frequent repairs, and become obsolete more quickly. These factors, plus the bad experiences with the present stand-alone machines, were considered in budgeting for leasing of the stand-alone machine rather than for purchasing it.

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Purchase of a computer-connected exam-grading "scanner" is requested in Object Code 400, Budget Level C. Such a scanner would read the exam, transfer the data into the computer, and would eliminate the need to enter the exam data into the computer by regular keying methods. Use of this type of electronic equipment would expedite exam-grading, and it would provide more complete examination data in computer storage, from which information could be retrieved for evaluation of examinations and for other reports needed for management of the examination program. The scanner could be used for other optical mark reading functions besides exam-grading. Such electronic equipment would provide long-lasting reliability as compared to the short-term reliability of mechanical stand-alone machines, and the basic electronic unit should require less in the way of repairs than stand-alone machines. These factors and others were considered in requesting purchase of the scanner. It should be understood that the Records Center does not need to be equipped with both the scanner and the stand-alone grading machine. If purchase of the scanner is approved, the rental stand-alone machine would not be needed.

Vendor-supplied information, which was considered in budgeting for exam-grading equipment included the following:

Stand-Alone Grading Machine

Purchasing Price: \$1,750 + \$25 freight and handling = \$1,775. Maintenance agreement would cost approximately \$50 per year.

Leasing: 5-year leasing arrangement available at \$300 per year plus \$25 one-time charge for freight and handling. No maintenance agreement on leased stand-alone machine.

Computer-Connected Scanner

Purchase Price: \$5,555 + \$195 freight and handling = \$5,750. Purchase price includes base unit, software, automatic feed and printer. Maintenance agreement would cost approximately \$430 per year.

Leasing: 3-year leasing arrangement available at \$175 per month (\$175 x 12 months = \$2,100 per year). Leasing price includes base unit, automatic feed and printer. Additional costs include: freight and handling (one-time charge) - \$195; software (one-time charge) - \$550. If scanner is leased, vendor requires that we take maintenance agreement with them, at approximately \$430 per year.

Budget Level A - Same as Budget Level B.

Budget Level B - At this level of funding, a total of \$970 is allocated: \$670 for photocopier expenses and \$300 to continue lease of an exam-grading machine.

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Budget Level C - At this level of funding, a total of \$930 is allocated, all of which is for photocopier expenses. This funding level adds \$260 for use of photocopier by requested new position and eliminates the \$300 for lease of exam-grading machine. (NOTE: The \$300 for lease of exam-grader would need to be reinstated if the purchase of exam-grading machine is not approved as requested in Object Code 400.)

Object Code 240: Repair and Servicing:

	<u>FY 1987</u>	<u>A</u>	<u>B</u>	<u>C</u>
Typewriters	\$ 749	\$ 778	\$ 778	\$ 778
Kardveyer File	337	350	350	350
Data Processing Equipment	600	313	313	600
Other Office Machines	--	50	50	50
Exam-grading Machines	--	100	100	430
TOTAL	<u>\$1,686</u>	<u>\$1,591</u>	<u>\$1,591</u>	<u>\$2,208</u>

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 778
 350
 313
 50
 100
 1,591

Budget Level A - Same as Budget Level B.

Budget Level B - At this funding level, a total of \$1,591 is allocated, representing a decrease of \$95 (6%) from FY 1987. This level of funding provides \$749 for typewriter maintenance (\$547 for two memory-storage typewriters and \$202 for six non-memory typewriters); \$350 for Kardveyer file; \$313 for data processing equipment; \$50 for calculators and automatic date/time stamp machine; and \$100 for exam-grading machines.

Budget Level C - At this funding level, a total of \$2,208 is requested, representing a \$617 total increase over Budget Levels A and B. At this level, \$287 is added for data processing equipment, bringing it to the FY 1987 level of \$600 which is a more realistic estimate than the \$313 figure at Budget Levels A and B. This funding level also adds \$330 to amount for exam-grading equipment, increasing it to the \$430 amount needed for maintenance agreement on the new exam-grading scanner. Purchase of the exam scanner is requested in Object Code 400, Budget Level C. If purchase of the exam-grading scanner is not approved, this Object Code 240 (Budget Level C) would need to provide \$100 for exam-grading machine maintenance.

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Object Code 250: Travel and Subsistence:

	<u>FY 1987</u>	<u>A</u>	<u>B</u>	<u>C</u>
<u>In-state</u>				
Meals	\$ 56	--	--	\$ 98
Lodging	170	--	--	200
Motor Pool	192	--	--	252
TOTAL	<u>\$418</u>	<u>--</u>	<u>--</u>	<u>\$550</u>

DOB USE ONLY

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Budget Level A - Same as Budget Level B.

Budget Level B - No funding is allocated at this level.

Budget Level C - At this level of funding, a total of \$550 is allocated: \$98 for meals; \$200 for lodging; and \$252 for motor pool. This funding would provide for in-state travel needed for administrative officer II to carry out assigned responsibilities in connection with the pesticide applicator certification program. Travel would be for purposes of participating in commercial recertification training programs and participating in planning meetings with Kansas State University Extension and regional Environmental Protection Agency on certification examination and training matters.

Object Code 260: Fees, Other Services:

	<u>FY 1987</u>	<u>A</u>	<u>B</u>	<u>C</u>
Microfilming	--	--	--	\$6,000
KBI Record Search	--	--	--	1,000
TOTAL	<u>--</u>	<u>--</u>	<u>--</u>	<u>\$7,000</u>

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D.B.C.

- 0 -

Budget Level A - Same as Budget Level B.

Budget Level B - No funding is allocated at this level.

Budget Level C - At this funding level, a total of \$7,000 is requested: \$6,000 for microfilming of records and \$1,000 for record search by Kansas Bureau of Investigation. The \$6,000 for microfilming is the estimated cost of microfilming approximately 250,000 pieces of information in stored records. Microfilming of these records is critically needed to relieve severely overcrowded storage areas, yet would allow this subprogram to maintain needed copies of records.

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The \$1,000 for KBI record search is to cover the costs associated with information this subprogram needs on new applicants for business licenses and commercial certification. Such information is used by administrators in their decision and actions which could include denial, suspension or revocation of the license or certificate of those with criminal records. K.S.A. 2-2449 stipulates grounds for the secretary of agriculture's denial, suspension, revocation or modification of any license, registration, permit or certificate issued under the Kansas Pesticide Law. One of the statute-specified grounds is: ". . . been convicted of or pleaded guilty to a felony under the laws of this state or of the United States . . .". Without information from KBI record search, there would be some negligence in carrying out responsibilities assigned by the Kansas Pesticide Law to the secretary of agriculture. Historically, there has been more criminal activity in Category 3 (ornamental and turf pest control) and Category 7 (industrial, institutional, structural and health-related pest control) than in the other categories. Therefore, a procedure has been used which obtains KBI record search information on each new applicant in Category 3 and Category 7. According to information recently received from the KBI, that agency has now established a charge of \$3 per record search for such information. The \$1,000 requested would allow this subprogram to obtain needed record search information on 330+ new applicants in Category 3 and Category 7. None, one, some, or all of those 330+ could have criminal records, but that cannot be known without the KBI record search. If the \$1,000 is not provided for KBI record search information, certificates and licenses could unknowingly be issued (without denial, suspension, or revocation) to persons with criminal records, thereby increasing the possibility of fraud and other criminal acts by pesticide applicators upon citizens of this state.

DOB USE ONLY

Object Code 370: Stationery and Office Supplies:

	<u>FY 1987</u>	<u>A</u>	<u>B</u>	<u>C</u>
State Printer	\$ 784	\$ 685	\$ 784	\$ 814
Office Supplies	1,423	958	1,108	1,108
Data Processing Supplies	600	300	500	500
TOTAL	\$2,807	\$1,943	\$2,392	\$2,422

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 D.E.C.
 685
 958
 300
 1,943

FY 1987 is a peak-volume year in the 3-year commercial certification renewal cycle. FY 1987 will also include continued impact of calendar year 1986 peak-volume in 5-year private certification renewal cycle. (Private certificates expire on applicators' birthdays, so approximately half were in FY 1986 and half in FY 1987.) The FY 1987 allocation in this object code is to cover needs associated with these renewal volumes.

Budget Level A - At this level of funding \$1,885 is requested. This level of funding includes \$685 for state printer costs; \$958 for office supplies; and \$300 for data processing supplies. This level of funding will meet only the minimum printing, office supply and data processing needs for this subprogram.

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Budget Level B - At this level of funding, a total of \$2,392 is requested, representing a \$473 decrease (16.8%) from FY 1987. At this level, \$784 is allocated for state printer costs; \$1,050 for office supplies (\$315 less than FY 1987); and \$500 for data processing supplies (\$100 less than FY 1987). Expenditures in this object code are for such items as envelopes, file folders, stencils, letterhead and other paper, carbon paper, certificate and license documents, pencils, pens, staples and other miscellaneous office supplies and computer supplies such as mailing labels, continuous-feed paper, printer ribbons, printer wheels, and anti-static supplies.

Budget Level C - At this level of funding, a total of \$2,364 is requested, representing a \$30 increase over Budget Level B. The \$30 increase is to state printer costs, reflecting a 3.8% increase over FY 1987, per budget instructions.

Object Code 400: Capital Outlay: *New Position #215*

Budget Level A - No funding is requested for this object code at this level.

Budget Level B - No funding is requested for this object code at this level.

Budget Level C - At this funding level, a total of \$7,900 is requested. \$810 is requested for the purchase of a 15-inch electromechanical typewriter for use by the requested new clerical position; \$500 is requested for added computer data storage capacity upgrade; \$300 is requested for 256K memory expansion upgrade of computer; \$540 is requested for the purchase of three 5-drawer, metal, letter, vertical files. These files are needed to provide adequate file storage space for active records. Because of the increasing numbers of active certified applicator records, present files are completely full. Sometimes file folders are mutilated in the process of trying to file them in too-full file drawers. These are public records and adequate file space is needed for proper maintenance. It should be understood that these files will be needed even if funding for microfilming is granted as requested at this budget level. The files are for active records. Microfilming would be for inactive records which are boxed and in storage.

\$5,750 is requested for the purchase of a computer-connected exam-grading scanner. Funding at Budget Level C would provide for purchase of a computer-connected grader that would scanner-read the exam, transfer the data into the computer, and would eliminate the need to enter the exam data into the computer by regular keying methods. Use of this type of scanner would expedite exam-grading, and it would also provide more complete exam data in computer storage, from which information could be retrieved for evaluation of examinations and other reports for management of the examination program. The scanner could be used for other optical mark reading functions besides exam-grading. The \$5,750 figure includes the required software and printer for use with the scanner. (NOTE: Please cross-reference to discussion presented in Object Code 230 regarding exam-grading equipment.)

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Under the provisions of the Kansas Pesticide Law, pesticide applicators are required to pass written examinations in qualifying for certification. So, exam-grading is one of the major work functions of this subprogram. The two exam-grading machines in use at the time of this budget writing were purchased in early 1977. Their age and obsolescence make it increasingly more difficult to get repair parts, and the machines are no longer reliable. A new exam-grading machine is necessary to provide reliable accuracy in grading of the statute-required examinations and to avoid slowdown of work outputs. When the old machines break down, there is a delay in work outputs, thereby also causing delay in issuing certificates and licenses--delays that create hardships for individual applicators and businesses who need their certificates or licenses before purchasing or applying pesticides. Hand-grading of the exams is not a feasible alternative because of the volume of exams and the slowness of hand-grading. It takes approximately 3 minutes to hand-grade an examination, compared to about 2 seconds to grade with a machine in good working order. This means that about 90 exams could be graded by machine in the same length of time it takes to grade 1 exam by hand.

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Attachment 1

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Kansas Wheat Commission Testimony on

Senate Bill No. 277

Senate Ag Committee

March 4, 1987

Chairman Allen, members of the committee, ladies and gentlemen, I am Adrian Polansky, chairman of the Kansas Wheat Commission and a farmer from Belleville. I would like to offer some thoughts on Senate Bill 277.

The 1986 Legislature passed Senate Bill 762 (Chapter 326-Session Laws of 1986) which requires state agencies to pool their purchases so the State can avoid writing checks for under \$5. Last summer the Division of Accounts and Reports suggested that the commission not refund producers' excise taxes if the checks would be in amounts under \$5. The commission responded that, until ordered otherwise, it was bound by law to refund any excise tax amount demanded by a producer. A compromise was worked out whereby the commission continued refunding the excise tax in any and all amounts until the issue could be addressed by the 1987 Legislature.

An excise tax of four mills per bushel is collected on wheat marketed through commercial channels in the state of Kansas. The tax is levied and assessed to the grower at the time of sale and is shown as a deduction by the first purchaser from the price paid in settlement to the grower. Within one (1) year after any and all sales, the grower may, upon submission of a request,

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obtain a refund in the amount of the tax deducted by the first purchaser. Senate Bill 277 will change the Kansas Wheat Act so that a grower may obtain a refund of any such tax only if the refund is for \$5 or more.

The effect of the bill will be to lessen the amount of refund requests to the agency, reduce commission personnel time in dealing with the small refunds, and reduce the cost to the State of writing checks for less than \$5.

Some facts concerning refunds less than \$5:

	Refunds Under \$5.		Total Refund Requests		Percent	
	Amount	No.	Amount	No.	Amount	No.
FY86	\$1,094.02	(352)	\$89,233.60	(2,517)	1.2%	(14%)
FY87 Mid-January 1987	\$ 522.41	(178)	\$35,316.77	(1,177)	1.5%	(15%)

In FY86, 1.2% of the refunded money was in checks under \$5 yet 14% of all refunds were under \$5. In FY87, by mid-January 1987, 1.5% of all refunded money went out in checks under \$5 yet 15% of all refunds were under \$5.

As we discuss the merits of the bill, certainly we have to say that any costs associated with confirming the validity of these small refund requests, recording the small requests, filing, mailing and check writing both by the Kansas Wheat Commission staff and by the State's central accounting staff are the same as those incurred in processing larger refund checks. Refunds under \$5 account for only 1.5% of total dollar amounts of refunds paid out in a year, yet account for 15% of the requests

received and handled.

After a 1985 review of commission programs and staffing, the Legislative Division of Post Audit suggested the commission add a part-time assistant for office work of this nature. Due to budgetary restraints, this person was never added even though needed. Therefore, a reduced workload on our present employee will improve her efficiency in other areas and would be welcomed. Thus, the main savings would be in the area of personnel time in dealing with 15% fewer refunds and the savings to the State for not writing the checks under \$5.

The dollar effect upon the income portion of our budget will be minimal if refunds under \$5 are eliminated. The commission will gain \$900 to possibly \$1,200 in income per year.

One problem with the bill which should be pointed out is the question of fairness. Should someone not receive a refund of their wheat tax because it is less than \$5, while someone else can receive a refund because it is over \$5? One answer to this question is that income tax laws have been changed in recent years to avoid the need to refund small amounts. Also, a producer could pool his/her refund requests whenever possible to come up with a request which would be over \$5. We estimate that pooling will only have a slight effect on the dollar amount of refunds given. For example, in FY86 the commission would probably have kept \$900 to \$1,000 of the \$1,094 refunded, even if people did pool their small under \$5 refund requests.

When you compare the Kansas Wheat Commission to the 15 other

wheat commissions in the nation, you will quickly see that we are exceedingly generous when it comes to our refund provisions. Five commissions offer no refunds whatsoever, and this may soon become six commissions. The other 10 commissions issue refunds to producers in time periods ranging from 30 to 120 days. The Kansas Wheat Commission is the only commission in the nation with a one year refund period. Also, there are only three commissions (KS, OK and TX) which have the refund forms in the country at the elevators, mills, feedlots and ASCS offices. All the other wheat commissions require producers to write to the commission offices and request the refund forms.

In summary, the commission would especially benefit from passage of the bill due to the resulting savings in personnel time and the State would benefit from the savings in both the time and money it takes to process the refund checks under \$5.

Thank you for the opportunity to testify on Senate Bill 277.

SB: 277

Mr. Chairman and Committee members, thank you for allowing the Commodity Commissions to address the issues outlined in SB 277. The bill which relates to refunds made by the four Commodity Commissions would prohibit growers of such grains from obtaining a commodity assessment refund for under \$5.

In fiscal year 1986, the Corn, Grain Sorghum, and Soybean Commissions issued 190 individual warrants which were under \$5, or 9.5% of the total warrants issued (1,989). The total dollars refunded in this category amounted to \$593. It should be noted that the language in SB 277 does not clarify whether single refunds or multiple refunds for under \$5 would be affected by such action. Many refund requests included in one mailing have more than one grain transaction with refund requests of less than \$5, however, the total exceeds such amount. The question posed is whether each grain transaction with assessment deduction comprises a refund request, or if a multiple request should be subject to this proviso.

Undoubtedly, the increased revenue is marginal, however, the administrative cost savings to process such warrants would be of great significance. It is estimated by representatives of the Division of Accounts and Reports, that each warrant has a processing cost of \$7-\$20.

The Commissions support SB 277 due to the cost and time savings to their program and other state governmental services. Mr. Chairman, I would be happy to answer any questions. Thank you.

Submitted by: Mr. Galen Swenson, Administrator
Corn, Grain Sorghum, Soybean Commissions

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Senators agriculture

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TESTIMONY TO SENATE COMMITTEE ON AGRICULTURE

SENATE BILL 295

by

SAM BROWNBACK

KANSAS SECRETARY OF AGRICULTURE

March 4, 1987

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Good morning Mr. Chairman and members of the Committee. I appear here today on behalf of the Board of Agriculture to testify in support of Senate Bill 295.

Much discussion has taken place over the past months about the need for Kansas agriculture to diversify, add value to their products and get more involved in food processing for economic development. I wholeheartedly support the pursuit of these concepts toward the end result of a better, stronger agricultural complex in Kansas and indeed an economically healthier Kansas overall.

The second step after one endorses the concept is what specifically then do we do? There are a thousand and one alternate crops and at least that many food processing ideas, value-added ideas and the like. Kansas is not well suited nor do we have the manpower or wealth to pursue all of these ideas. We need to know specifically what alternate crops, value-added concepts and areas, and food processing ventures are best suited for further advancement in the state of Kansas. Once we have a specific game plan and break this down even further, a specific game plan for each region in the state of Kansas, then we can pursue on a very targeted basis those particular areas and ideas that are applicable to them. Succinctly put, winners aim, losers spray. If we go after everything we will accomplish nothing. If we target our efforts on those places and ideas which have the most possibility for success we are much more likely to achieve our goals.

Towards this end several states, inclusive of Indiana, Nebraska and Texas have commissioned studies to determine specifically what areas they should pursue to accomplish diversification, value-adding and food processing expansion. Kansas needs to do the same. I bring for your comment, review and a decision as to whether Kansas should seek a blueprint for Kansas agriculture study to determine these areas that we should pursue that will most likely yield success.

I am suggesting a study similar to the Redwood-Krider study which outlined a blueprint for overall Kansas economic development, however, this plan would be for the agriplex industry. The Redwood-Krider study left out agriculture in its review of the overall economic development game plan. We need a game plan for agriculture. The study would cost the state \$40,000. Additional funding will be sought, on at least a matching basis, from private and public groups such as the Kansas Bankers Association, the Grain Commodity Commissions, the Kansas Seed Dealers Association, farm organizations, livestock commodity organizations, the Department of Commerce and others who would be likely to use and benefit from such a study. We are expecting significant in-kind contributions from Kansas State University College of Agriculture in carrying forth the study. This would be a one-time study and a one-time allotment of funds.

I have discussed this funding proposal and arrangement with the commodity commission's executive directors and they are generally supportive of the concept. Several other organizations have given me similar indications. Specifically, the Kansas Seed Dealers Association passed a resolution supporting the study and stated that they would financially support such a

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project. I have received initial positive review of the proposal from the Kansas Bankers Association as well. This item has come through as a high priority item in our Commission on the Future of Kansas Agriculture hearings and presentations.

Mr. Chairman and members of the Committee, Kansas communities from across the state are making decisions even at this very moment as to what avenues they are going to pursue for economic development. Kansas farmers are hearing from numerous individuals that they should, indeed must diversify their agricultural enterprise. I fear that if we rush headlong, pell mell, into crop diversification, value-adding enterprises and food processing entities without a game plan as to which of these proposals will fit and work in Kansas and which will not, that we could waste a lot of resources, time and talent. We need to provide to the people of the state of Kansas a betting card on which of these proposals and propositions make the most sense and have the greatest possibility for success in this state. Some mistakes will undoubtedly be made and some recommended activities may not be the best, but to not address the issue at all I feel would certainly put us in a worse situation.

Thank you for your consideration of this proposal and I will certainly attempt to respond to any questions.

attachment 4

3-4-87

City of Oberlin

A quality
environment for
business and people

107 West Commercial Street
Oberlin, Kansas 67749
913-475-2217

Preserving the Past
Building for the Future

March 3, 1987

TO: Committee on Agriculture

FROM: Robert E. Finkbiner,
City Administrator
Oberlin, KS.

Barbara B. Wenger, President
Oberlin-Decatur Area
Economic Development Corp.

SUBJECT: Senate Bill 295 (An act relating to agriculture; creating
the blueprint for Kansas agriculture study)

The City of Oberlin and the Oberlin Decatur Area Economic Development Corporation encourages the passage of Senate Bill No. 295. We have been actively pursuing economic development in Decatur County. Two of the areas we have been pursuing are agriculture diversification and value added, especially food processing.

The passage of this bill would enable the gathering of viable data to encourage another rapid transition to a more diversified agriculture economy.

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TESTIMONY BEFORE THE SENATE AG COMMITTEE
SENATE BILL 295
BY
ADRIAN POLANSKY
VICE PRESIDENT
KANSAS CROP IMPROVEMENT ASSOCIATION
MARCH 4, 1987

The Kansas Crop Improvement Association supports Secretary Brownback's initiative to gain additional knowledge concerning economic development in the agricultural sector.

The Kansas Crop Improvement Association believes seed represents an area that contributes significantly to the Kansas economy and if treated as an industry could make a much larger contribution.

We estimate Kansas farmers require approximately \$120 million of seed annually. During the last 10 years some 10 million dollars have been invested in enlarging, remodeling and building new facilities.

Some of the obvious questions needing answers are the following:

1. Volume of seed moving into the state and from what origin?
2. Volume of seed moving out of Kansas and to what destination?
3. Potential volume of seed that could be marketed in Kansas and beyond?
4. How does the Kansas Seed Law effect sales here and outside the state?
5. What other factors limit the growth of the seed industry in Kansas and how to overcome the constraints to the industry?

The seed industry is located in all areas of Kansas, is value added in nature and creates jobs for Kansans and provides quality seeds of the most productive varieties and hybrids that increase the profit potential of farmers.

A growing and healthy Kansas seed industry could be one of the positive results of a blueprint for Kansas agriculture.

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Kansas Wheat Commission Testimony on

Senate Bill No. 295

Senate Ag Committee

March 4, 1987

Chairman Allen, members of the committee, ladies and gentlemen, I am Adrian Polansky, chairman of the Kansas Wheat Commission and a farmer from Belleville. I would like to offer some thoughts on Senate Bill 295.

Secretary of Agriculture Sam Brownback approached the commission a couple months ago with his idea of a Blueprint for Kansas Agriculture study. The commission has always felt the State should do everything possible to encourage development in the state's wheat and agriculture industry. Of course, the commission appreciated the opportunity to discuss the study idea, since the commission has funded research in new marketing ideas and new uses of wheat for many years. We feel the strength of this plan is in the number of organizations working together for a common goal, namely helping our state's agricultural economy.

The State of Kansas should take the lead in funding and pushing for the completion of the Blueprint for Agriculture study, as it did with the Redwood-Krider study. Certainly many good ideas were generated by the Redwood-Krider study and many good ideas for positive change are what we need now in order to save our agricultural economy.

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The Kansas Wheat Commission encourages the State Legislature to fund Secretary of Agriculture Sam Brownback's Blueprint for Kansas Agriculture study. The commission will certainly cooperate on this project and looks forward to providing information concerning the wheat industry. We want to do our part to help improve the economic welfare of agriculture in Kansas.

Thank you for the opportunity to testify today.

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Testimony before the
Senate Agriculture Committee

Related to

Senate Bill No. 295

"Creating a Blueprint for Kansas Agriculture Study"

by

Marc A. Johnson, Head
Department of Agricultural Economics
Kansas State University
Manhattan, Kansas 66506

March 4, 1987

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Senate agriculture
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Testimony before the
Senate Agriculture Committee
Related to
Senate Bill No. 295

"Creating a Blueprint for Kansas Agriculture Study"

I am Marc A. Johnson, Head of the Department of Agricultural Economics at Kansas State University in Manhattan, Kansas.

Thank you for this opportunity to testify in favor of Senate Bill No. 295 Creating a Blueprint for Kansas Agriculture Study. The concept of a comprehensive investigation of the agricultural sector at this time is a good one. A study of this nature can establish objectively the current state of Kansas industries composing the agricultural sector and identify where economic, technological and policy forces are creating opportunities within the sector. Jon Wefald, President of Kansas State University and Water Woods, Dean of Agriculture at Kansas State University also support the concept of this study.

The agricultural sector is a complex of industries including input industries which bring supplies and information to the farms, ranches and feedlots which produce raw agricultural commodities and merchandisers and processors which create and move food products through the food chain to the consumer. All of these elements represent value adding industries.

Although farmers, ranchers and input suppliers have moved through a period of severe financial strain, the entire agricultural sector will continue to be a major component of the Kansas economy and a focal point for economic development. As we look ahead to the future it will be essential to understand what agricultural resource base we have from which to develop economically. It will be essential to understand the economic, technological and policy forces influencing the agricultural sector and the ways in which Kansas agriculture is likely to respond to these forces. It is essential to know how changes in the

various segments of the agricultural sector affect the broader economy of Kansas.

This knowledge will result in better decision-making. This information will help guide individual decision makers in their investments, help narrow the field within which industry hunters search for businesses to locate in their communities and help the legislature identify changes in taxation and the rules of commerce which will stimulate agricultural economic development.

I believe Kansas State University is uniquely qualified to do the in-depth study envisioned in this blueprint study. This investigation should be viewed as a research study which will allow policy makers to interpret industry conditions and develop appropriate strategies for economic progress. Kansas State is uniquely qualified because: (a) the legislature has invested in the on-going professional capacity to follow what is happening in agriculture in Kansas, the nation and the world; (b) the University has the expertise and experience in objective research methods to address the issues involved; (c) the research program is designed to provide strong informational support for the policy making process.

Agricultural economics at Kansas State University has proposed a study format to achieve the purposes of the blueprint study. To do these types of investigations well is not inexpensive. The proposed study format incorporates a statistical projection of how agricultural output and income will respond to alternative economic conditions and policy proposals. The statistical apparatus already has been constructed at the Food and Agricultural Policy Research Institute (FAPRI) located at the University of Missouri and Iowa State University. The national results provided would be interpreted to measure likely changes in the direction of Kansas agriculture. Access to the FAPRI statistical apparatus will be costly.

Secondly, the blueprint study must be done in a short amount of time. The department would need to hire additional, temporary, professional expertise to take on a major investigation while maintaining existing commitments. With current budgetary conditions the Experiment Station does not have the flexibility to make major reallocations in resources at this time.

In summary, the blueprint for Kansas agriculture study is an excellent concept. It will provide baseline information on where Kansas agriculture is and where it will likely go. It will provide information essential for decision makers who are participating in the economic development of Kansas. The faculty of Kansas State University stand ready to participate as well.

THE CLAY CENTER ECONOMIC DEVELOPMENT GROUP

431 Court Clay Center, Kansas 67432 (913) 632-5974

March 4, 1987

Chairman Allen and Members of the Senate Agriculture Committee:

On behalf of the Clay Center Economic Development Group I present the following in support of Senate Bill 295 creating the Blueprint for Kansas Agriculture.

I am in the business of creating jobs in an agricultural based economy. I would like to compare this study for the revitalized existence of the agricultural industry to a business plan. A business plan lays out in detail HOW the industry will develop, grow and prosper not simply state that it can. Success can only be realized when all data is entered and substantiated. It requires the cooperation of research and development, education, promotion, investment, production and marketing team members to develop a meaningful plan.

The Redwood-Krider report stated agriculture must diversify and industry must modernize. I believe Senate Bill 295 addresses the fact we have the data now let's put the team members to work in substantiating HOW we are going to develop a prosperous industry.

My ag related industries where employment has dropped from 850 to 260 in six years, tell me promotion and marketing are problem areas. In assisting industries with innovative ideas to produce value added products, many times decreasing federal government marketing involvement and expense, financing is doubtful. We seem to be able to abundantly produce efficiently, but we are in a rut on HOW to market the abundance. People are hungry and our grain bins are bulging, HOW can we export our abundance, the fruits of our knowledge? We have told our farm producer to diversify, why can't we assist them in ways to diversify? Industrial promotion for small communities, using our raw products and providing supplemental income for the farm family might secure the existence

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of the family farm. Lending institutions and investors are willing to support viable agriculture production. Let's be ready to tell them HOW they can get involved.

I support the Blueprint for Kansas Agriculture study. I trust this committee to pass an effective measure and upon its passage I would challenge the implementor(s) to not only give us data on what needs to be accomplished to become economically sound but also give credibility to that information by telling team members HOW they can assist in helping agriculture grow and prosper.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Deanna Fuller".

Deanna Fuller, Director
Clay Center Economic Development Group

TO: CHAIRMAN JIM ALLER, SENATE AGRICULTURE COMMITTEE

NO. 13
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Re: Statement by John Stitz, Dir. Catholic Rural Life on SB 295.

We support this proposal for a blueprint study because it will provide rural citizens with valuable information and give hope for technical assistance for rural development projects.

I learned of this bill when I, representing a rural group, approached the Department of Agriculture for help in developing a fish hatchery in northeast Kansas. I was told that this blueprint study could lead to making technical assistance available for this type of project as well as lead to the location of financial resources. There is need for this kind of help in rural communities.

An even greater value, as suggested in Section 3 a, is the proposed comprehensive study of agricultural development in Kansas. In my seventeen years of appearing before legislative committees, I have repeatedly appealed for a comprehensive study to pave the way for a comprehensive policy on the use of natural resources in Kansas. Here is an example. This legislature is considering a change in our corporate farm law to allow for a vertically integrated hog production facility. We need a non-biased comprehensive analysis of the economic and social impact of such type of corporations as related to family farm agriculture and the development of rural communities. We have a right to expect this type of research from the Sec. of Agriculture. We need to know what happens when the food industry is controlled by corporate units as opposed to individual producers.

If I understand this proposal, grassroots thinking of farmers and rural citizens will be allowed to have a hearing. There are groups and individual farmers with experience in alternatives to conventional agriculture. In the past existing agencies and institutions have been reluctant to grant them credibility: SB 295 may give them hope!

Thank you for allowing me to speak.

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Senate agriculture
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PUBLIC POLICY STATEMENT

SENATE COMMITTEE ON AGRICULTURE

RE: **S.B. 295 - Creating the Blueprint for
Kansas Agriculture Study**

March 4, 1987
Topeka, Kansas

Presented by:
Paul E. Fleener, Director
Public Affairs Division
Kansas Farm Bureau

Mr. Chairman and Members of the Committee:

My name is Paul E. Fleener. I am the Director of Public Affairs for Kansas Farm Bureau. We appreciate the opportunity to comment briefly on and **in support of** S.B. 295 which would create a study known as the "Blueprint for Kansas Agriculture."

Our voting delegates at the most recent Annual Meeting of Kansas Farm Bureau - November 30, December 1-2, 1986, adopted a general policy position concerning **Farmer Unity**. That statement commends our own Farm Bureau President for the efforts he has made to promote understanding and cooperation with other farm organizations. This Committee knows well that we are supportive of the State Board of Agriculture and the duties and functions that agency performs in regulating and administering in areas assigned by the Kansas Legislature. The policy position also gives "full support to our President and Directors in seeking opportunities to meet with other farm organizations to determine areas of agreement and to work with other organizations in achieving common objectives."

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3-4-87*

S.B. 295 is a measure which would put this Legislature on record as supporting an in-depth study of agricultural production, marketing, diversification, and value-added products, as well as examining the opportunities for expansion of the food processing industry as it relates to the most basic industry of the State of Kansas, **agriculture**. The study is necessary. S.B. 295 calls for the study to be completed and a report to be made to the Kansas Legislature not later than January 10, 1988. We would suggest the legislation sunset after that time so that a clear directive of the Legislature is to the Secretary and the State Board of Agriculture to work cooperatively with other agencies - public and private - to arrive at conclusions and to submit those conclusions and recommendations on a date certain. After that time the authority for such a study group would not be necessary. This would be similar to what was generated two years ago in generating an economic development study (sometimes known as the Redwood-Krider study). That examination of Kansas business and industry did not have the time nor take the time to examine what is needed for agriculture. The Legislature, however, in 1986, indicated that **economic development** was to be for **ALL** of Kansas and that rural communities and the agricultural enterprises in this state should be part and parcel of everything related to economic development.

We have two or three short amendments to suggest on this bill. In line 27 we suggest that all after the word "that" be stricken and on line 28 all before the article "a" including the

comma should be stricken. The section would then read: (c) that a study needs to be done, focused specifically upon agriculture and agricultural problems as it relates to agricultural economic development; and.

In line 31 after the word "to" by striking all before the word "accurate," and inserting in-lieu-of "develop an examination and analysis of"... accurate information concerning agricultural problems ... Finally at some point in the bill there needs to be a sunset provision on it and that sunset may well coincide with the date on which the study is to be made available to the Kansas Legislature.

Mr. Chairman, agriculture **must be** a part of economic development in this state. What agriculture needs should be thoroughly examined. S.B. 295 creates a mechanism for such examination. We support your favorable consideration of this legislation.

COME TO KBA 100TH BIRTHDAY PARTY
CENTENNIAL CONVENTION, MAY 13-15, TOPEKA

KANSAS **B**ANKERS **A**SSN.
707 MERCH. NTL. BLDG. TOPEKA, KS 66612

March 3, 1987

TO: SENATE COMMITTEE ON AGRICULTURE

FROM: Harold Stones, Kansas Bankers Association

Thank you, Mr. Chairman, and members of the Committee for this opportunity to support Senate Bill 295.

The so-called "Redwood-Krider" study of the general economy of Kansas was supported by the Kansas Bankers Association, both politically and financially. We were one of the private groups who contributed to that study, and we are pleased that the study was a useful tool, and had positive results.

Now, we believe Kansas should take the next logical step, which is an economic study focusing on the agriculture and agriculture-related economy of Kansas. Other witnesses will focus on the need, the depth and the breadth of such a study, so we will not repeat.

If the Legislature should decide to pass this bill, and aim for a public-private funding plan, as was done with the Redwood-Krider study, I will pledge to make a positive and enthusiastic recommendation to the Board of Directors of the Kansas Bankers Association urging financial support for such a study. We are optimistic that many other organizations will do the same thing.

Mr. Chairman, thank you for your time and consideration.



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SENATE BILL 295

Mr. Chairman and committee members, I am here today to express support of Senate Bill 295. As a member of the Kansas Soybean Commission, I would like to share our support of the bill creating the Blueprint for Kansas Agriculture. Such blueprint will provide an economic summary of the potential which exists in the diversification in agriculture and value-added agricultural enterprises.

Obviously, the potential of the soybean and soy product industry is vast. The implications as a food, feed, and industrial product is yet to be fully realized in the US and in Kansas. I would hope that such study will investigate the opportunities and diversification which exist for the soybean producer in Kansas.

The Kansas Soybean Commission is in full support of this study and the Commission has taken action to offset partial costs associated with the study, along with other interested commodity organizations. It was the opinion on the Commission, that such study is in the best interest of the soybean producers which we represent.

Thank you.

Submitted by: Mr. Charles Hamon
Kansas Soybean Commission
Valley Falls, Kansas

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3-4-87