

Approved March 16, 1988
Date

MINUTES OF THE Senate COMMITTEE ON Agriculture

The meeting was called to order by Senator Allen at
Chairperson

10:07 a.m. ~~XXX~~ on March 15, 1988 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 Department

Conferees appearing before the committee: Melanie Caro, attorney, Department of Revenue
John Bottenberg, Kansas Ethanol Association
Dale Lambley, State Board of Agriculture
Harvey Wood, Jr., Commissioner, Kansas Wheat
Commission
Howard Tice, Kansas Association of Wheat Growers
Wilbur Leonard, Committee of Kansas Farm
Organizations

Senator Allen called the committee to order and turned committee attention to HB 2658; he called on Melanie Caro to testify.

Ms. Caro explained that HB 2658 was a clean up bill; that the statute states that producers shall remit reports in original to the Department of Revenue. The department feels the original is not necessary that a duplicate copy in summary form is sufficient. Ms. Caro requested passage of HB 2658 which will reduce paperwork and allow the department to conform to statutes.

John Bottenberg expressed approval of HB 2658.

The Chairman declared the hearing closed for HB 2658 and called attention to HB 2749; he then called on Dale Lambley to testify.

Mr. Lambley gave copies of his testimony to the committee (attachment 1). Mr. Lambley stated that HB 2749 adds two names to the definition of weeds. He showed an example of one, the horn poppy. He requested the committee recommend passage of HB 2749.

The Chairman declared the hearing closed for HB 2749; he turned attention to HB 2967; he called on the following proponents to testify.

Harvey Wood, Jr. gave copies of his testimony to the committee (attachment 2).

Howard Tice gave copies of his testimony to the committee (attachment 3).

Wilbur Leonard gave copies of his testimony to the committee (attachment 4).

The Chairman called for committee action on HB 2967.

Senator Arasmith made a motion the committee recommend HB 2967 favorable for passage. Senator Karr seconded the motion. Motion carried.

The Chairman called for committee action on HB 2749.

Senator Warren made a motion the committee recommend HB 2749 favorable for passage. Senator Thiessen seconded the motion. Motion carried.

The Chairman called for committee action on HB 2658.

CONTINUATION SHEET

MINUTES OF THE Senate COMMITTEE ON Agriculture,
room 423-S, Statehouse, at 10:07 a.m. ~~XXX~~ on March 15, 1988.

Senator Doyen made a motion the committee recommend HB 2658 favorable for passage. Senator Karr seconded the motion. Motion carried.

The Chairman adjourned the committee at 10:45 a.m.

TESTIMONY

HOUSE BILL NO. 2749

PRESENTED TO

SENATE COMMITTEE ON AGRICULTURE

by

Dale Lambley, Director
Plant Health Division
Kansas State Board of Agriculture

March 1988

attachment 1
3-15-88

HOUSE BILL NO. 2749
PROPOSED AMENDMENTS TO THE
KANSAS PLANT PEST ACT

March 1988

The Kansas weed control program currently depends on authority provided by the Kansas Noxious Weed Law. This law provides for control or eradication of those weeds which have been declared noxious by legislative action but does not provide authority in the areas of detection, exclusion and eradication of newly introduced weeds which are not yet established or have only recently appeared in the state. Since legislative action to declare a weed noxious does not usually occur until after the weed pest has become established in the state, eradication is usually extremely difficult from a biological standpoint and becomes very expensive. Therefore, much of our current effort in weed control is pointed toward long term chemical and biological control treatments as we attempt to suppress the weed to a point where we can live with it.

The Kansas "Plant Pest Act" (K.S.A. 2-2112 et al), on the other hand, provides a complete program for dealing with all insects, diseases, and other plant pests except for non-parasitic weeds. Extension of the "Plant Pest Act" to provide authority for a complete program to deal with all weed pests can be accomplished by amending K.S.A. 2-2113(a) to read as shown. Use of this language provides for the inclusion of any conceivable organism which might be destructive to crops or ornamental plants as a plant pest.

Actions to deal with weed pests which would be made possible by this amendment of the "Plant Pest Act" include:

1. Quarantine of infested areas outside Kansas to prevent the weed pest involved from entering the state.
2. Initiation of eradication measures for a new weed immediately following its initial occurrence in the state. This would be prior to the time legislative action could be taken to declare it a noxious weed.
3. Conducting surveys to detect the area of infestation of existing weed pests and to locate infestations of new weed pests before they can become well established. Any decision

regarding steps to deal with a weed pest or any other pest must be based on a thorough knowledge of the pest and its location in the state.

4. Cooperation with USDA in efforts to eradicate and control new weed pests. This would include not only eradication programs but bio-control programs. (We currently do not have authority to participate in such a program under the Noxious Weed Law for any except the declared noxious weeds.)

A number of changes are occurring which make this proposed amendment necessary. One of the primary changes is the shift in national and international trade channels to the shipment of plant products and other items as containerized cargo. Products traveling as containerized cargo are difficult, if not impossible, to inspect at the U.S. ports of entry. Consequently, weed seeds and other pests may not be detected until populations start to develop at destination. We suggest that the time to combat a new and potentially noxious weed is when it is still in the form of a few small clumps alongside the airport runway in Wichita, or a railroad siding in central Kansas. This amendment would provide that opportunity. We simply believe that high priority should be given to preventing the introduction of new weed species into the state and to eradication of new potentially noxious species before they spread.

No increase in personnel or funding is anticipated due to enactment of the proposed changes in the Plant Pest Act. The current plant protection and noxious weed staff members will incorporate this work into their regular work procedure.

Should a future need arise, it is possible that money to supplement and enhance the current plant protection and noxious weed programs might be available from the USDA-APHIS-PPQ under a cooperative agreement arrangement.

In brief, we have recommended this change because we believe it to be intelligent from both a scientific and economic sense. We would request your favorable consideration of the bill.

Kansas Wheat Commission Testimony

Before The

Senate Agriculture Committee

March 15, 1988

Chairman Allen, members of the committee, ladies and gentlemen, I appreciate the opportunity to testify this morning on House Bill 2967. I am Harvey Wood, Jr., a wheat producer from Solomon and a member of the wheat commission.

HB2967

The Kansas Wheat Commission consists of seven members appointed by the governor. House Bill 2967 would lengthen the term of appointment from two years to four years. The only exception to this would be the commissioners first appointed after the bill's enactment from districts II, IV, and VI who would serve for a term of three years. This action would set up the necessary rotation system. The bill would also permit members whose terms have expired to continue to serve on the commission until their successors have been appointed and certified.

The change in term of commissioners would give the commission a more stable direction over time. Board and staff members would know for a longer time period who was on the board and could set some longer term goals with the certainty they would be carried out. Also, if Kansas were eligible for officer rotation in U.S.

Wheat Associates or some other organization commissioners play active roles in on behalf of the Kansas Wheat Commission, we would be able to make a commitment for a three or four year period vs. only a two year period. Sometimes, two years is not a long enough period for officer rotation schemes.

The other three grain commissions have four year terms for their commissioners and this bill would create more uniformity in length of terms among the four commissions.

That concludes my testimony and I certainly want to thank you for the time granted today for speaking on behalf of this bill. If there are any questions, I would gladly try and address them.



KANSAS ASSOCIATION OF WHEAT GROWERS
"ONE STRONG VOICE FOR WHEAT"

TESTIMONY

Senate Committee on Agriculture
Senator Jim Allen, Chairman

HB 2967

Mr. Chairman, members of the committee, I am Howard W. Tice, Executive Director of the Kansas Association of Wheat Growers. I appreciate this opportunity to testify in favor of House Bill 2967.

House Bill 2967 would extend the terms of members of the Kansas Wheat Commission from two to four years. The bill picked up two amendments in the House Agriculture and Livestock Committee. The first, which we requested, set up a formula for staggering the terms, so that consistency on the Commission can be maintained. Under the present system, if the Governor were to delay naming new commissioners one year, but be able to make his selections promptly the next, we could have an entirely new board in less than one year's time.

Under the amendment, commissioners appointed from districts 2, 4 & 6 will be for three years. The next appointments and future appointments would be for four year terms. That would allow a rotation to be established under which appointments would only be made in odd numbered years, thus establishing consistency for at least two years.

The second amendment was offered by the committee, when it was noted that there is no present authority under the law, for commissioners to serve past the expiration date of their terms, when the Governor delays making appointments. The amendment simply inserts this authority into the Wheat Act.

The request for four year terms was made for two reasons. First of all, the corn, grain sorghum and soybean commissioners serve four year terms, and extending wheat commission terms would establish consistency among the four commissions.

In addition, the schedule for officers of U.S. Wheat Associates is on a four year rotation. When someone is nominated for office in U.S. Wheat, they are expected to serve as Secretary, Vice Chairman, Chairman and Past Chairman. If a commissioner is elected to office in U.S. Wheat, and is replaced on the Kansas Wheat Commission after only two years, that person would no longer be eligible to serve as a U.S. Wheat officer. This would disrupt the election chain in that year, and would also hamper the selection of Kansas Wheat Commissioners to office in the national organization. Since U.S. Wheat is looking to Kansas for leadership more and more, it is important for Kansas to be in a position to provide that leadership.

Having four year terms would respond to that concern in two ways. First of all, by having commissioners in office for more than two years, we would be able to answer the call to a four year commitment without worrying about a Kansas Commissioner being replaced in office before his tour as a U.S. Wheat Associates officer is completed. We would also be in a position of having commissioners who have been in office long enough to be thoroughly educated in the issues they would have to face.

The key word is consistency...a consistent policy among the four grain commissions, and consistency in leadership both for Kansas and U.S. Wheat Associates.

On behalf of the Kansas Association of Wheat Growers, I urge the committee to recommend HB 2967 favorably for passage.

attachment 3
3-15-88

Committee of . . .

Kansas Farm Organizations

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TESTIMONY IN SUPPORT OF HOUSE BILL NO. 2967

BEFORE THE SENATE COMMITTEE ON AGRICULTURE

March 15, 1988

Mr. Chairman and Members of the Committee:

I am Wilbur Leonard, appearing on behalf of the Committee of Farm Organizations. We thank each of you for this opportunity to present our views in support of House Bill No. 2967.

We believe that it is only logical that members of the Kansas wheat commission be appointed for four year terms.

The members of the other commodity commissions and many state agencies are appointed to four year terms.

Four year terms give the members a better opportunity to understand the workings of the commission, to address its problems and to promote its various programs.

Longer terms would provide more consistent leadership by Kansans in the U. S. Wheat Associates.

By staggering the terms a desirable degree of continuity is achieved and the provision that members continue to serve until their successors are appointed assures the commission the continued availability of a quorum to conduct its business.

We endorse the changes proposed in House Bill No. 2967 and urge the Committee to recommend it favorably for passage.

attachment 4
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