

Approved April 5, 1988

Date

MINUTES OF THE Senate COMMITTEE ON Agriculture

The meeting was called to order by Senator Allen at
Chairperson

8:03 a.m. ~~p.m.~~ on March 30, 1988 in room 423-S of the Capitol.

All members were present except: Senator Gordon (excused)

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

Conferees appearing before the committee:

The Chairman called the committee to order to take action on bills previously heard in committee; he called for action on HB 2964.

Senator Kerr made a motion the committee recommend HB 2964 favorable for passage; seconded by Senator Gannon. Motion carried.

The Chairman called for action on HB 2965.

Senator Karr made a motion the words "and tank" be reinstated into line 120 of HB 2965 because, by error, they had been deleted. Senator Gannon seconded the motion. Motion carried.

Senator Montgomery made a motion the committee recommend HB 2965 favorable for passage as amended. Senator Karr seconded the motion. Motion carried.

Senator Allen called for committee action on HB 2891.

Ken Wilke, State Board of Agriculture, provided copies of a balloon draft with amendments for the committee of HB 2891 (attachment 1).

During discussion it was stated that some of the amendments would bring compliance with the pesticide law. Statement was made that did not want the "less than \$100 nor" omitted from line 221 on page 6 of the balloon draft.

Senator Gannon made a motion the committee accept the amendments presented for HB 2891 except the deletion of "less than \$100 nor" from line 221. Senator Kerr seconded the motion. Motion carried.

Senator Kerr made a motion the committee recommend HB 2891 for passage as amended. Senator Warren seconded the motion. Motion carried.

The Chairman called for action on HB 2813.

Staff gave copies of a balloon draft with amendments for HB 2813 to the committee (attachment 2).

Senator Arasmith made a motion the committee accept the proposed amendments for HB 2813. Senator Montgomery seconded the motion. Motion carried.

Senator Warren made a motion the committee recommend HB 2813 favorable for passage as amended. Senator Karr seconded the motion. Motion carried.

The Chairman next called for action on HB 3068.

Staff gave the committee copies of a balloon draft with amendments for HB 3068 (attachment 3).

CONTINUATION SHEET

MINUTES OF THE Senate COMMITTEE ON Agriculture

room 423-S, Statehouse, at 8:03 a.m. ~~p.m.~~ on March 30, 1988.

During discussion it was pointed out that this bill would be preventive legislation in that it would discourage nuisance lawsuits.

Senator Thiessen made a motion the committee accept the proposed amendments for HB 3068. Senator Arasmith seconded the motion. Motion carried.

Senator Gannon made a conceptional motion for an amendment to HB 3068 so that if a plaintiff wins a case that the plaintiff should not have to pay court costs; that if the plaintiff wins the defendent should have to pay court costs. Senator Montgomery seconded the motion. Motion carried.

Senator Thiessen made a motion the committee recommend HB 3068 favorable for passage as amended. Senator Montgomery seconded the motion. Motion carried.

The Chairman called attention to a resolution prepared to be sent to our Congress because of a request made to the committee. The resolution urges Congress to enact legislation which would establish uniform national labelling standards to be used by food manufacturers to provide consumers with full, complete and accurate information concerning volume and percentage of oils and other ingredients contained in packaged foods (attachment 4).

Senator Warren made a motion the committee accept the resolution for introduction. Senator Gannon seconded the motion. Motion carried.

The Chairman announced that HB 3022 and HB 2448 had not received total agreement so that more study needed to be given to them and suggested that maybe the committee should recommend the issues of HB 2448 be recommended for summer study. The Chairman called for the subcommittee report on HB 2623 by Senator Karr and committee action on the bill.

Senator Karr gave copies of the subcommittee report to the committee (attachment 5).

Senator Warren made a motion the committee accept the subcommittee report on HB 2623 to become a part of HB 2623. Senator Karr seconded the motion. Motion carried.

Senator Norvell made a conceptional motion for HB 2623 and gave copies of the proposed amendment to the committee (attachment 6). Senator Kerr seconded the motion. Senator Norvell encouraged approval of the amendment by the committee. The number of counties suggested for the proposed pilot project was discussed with it being suggested that the number should be 8 instead of 12.

Senator Montgomery made a substitute motion that the suggested amendment by Senator Norvell state that "8 counties instead of up to 12 be in a pilot project and those counties be counties who indicated no objections to a certificated program".

During committee discussion it was pointed out that the subcommittee made no recommendation on the suggested pilot program.

Senator Norvell stated that it was acceptable to change his amendment so that it would read 8 counties instead of 12 for a pilot program. Senator Kerr, who had seconded the motion, expressed agreement with the change from 12 to 8 counties so that his second for the motion was still effective. The Chairman called for a vote on the motion. Motion carried.

Senator Norvell made a motion the committee recommend HB 2623 favorable for passage as amended. Senator Karr seconded the motion. Motion carried.

Senator Arasmith made a motion the committee minutes of March 29 be approved. Senator Karr seconded the motion. Motion carried.

The Chairman adjourned the committee at 9:05 a.m.

Page 2 of 2

HOUSE BILL No. 2891

By Representative Vancrum

2-10

AN ACT concerning the Kansas pesticide law; relating to the application of pesticides; providing civil penalties for certain violations; amending K.S.A. 1987 Supp. 2-2438a, 2-2440a, 2-2440b and 2-2440c and repealing the existing sections.

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

Section 1. K.S.A. 1987 Supp. 2-2438a is hereby amended to read as follows: 2-2438a. As used in this act, unless the context otherwise requires, the following words and phrases shall have the meanings ascribed to them in this section:

(a) "Animal" means all vertebrate and invertebrate species, including but not limited to man and other mammals, birds, fish and shellfish.

(b) "Board" means the board of agriculture of the state of Kansas.

(c) "Certified applicator" means any individual who is certified under this act to use or supervise the use of any restricted use pesticide which is classified for restricted use by a certified applicator.

(1) "Certified commercial applicator" means a certified applicator, whether or not a private applicator with respect to some uses, who uses or supervises the use of any pesticide which is classified for restricted use for any purpose or on any property other than as provided in paragraph (2) of this subsection (c).

(2) "Certified private applicator" means a certified applicator who uses or supervises the use of any pesticide which is classified for restricted use for purposes of: (A) producing any agricultural commodity, (i) on property owned or rented by such person or such person's employer or, (ii) if applied without compensation other than trading of personal services between

attachment 1
3-30-88

0047 producers of agricultural commodities, on the property of an-
 0048 other person; or (B) controlling ornamental shrubbery or turf
 0049 pests on property ~~wherever located,~~ which is owned or rented
 0050 by such person and such property which is used as such person's
 0051 residence.

Delete []

0052 (d) "Defoliant" means any substance or mixture of sub-
 0053 stances intended to cause the leaves or foliage to drop from a
 0054 plant, with or without causing abscission.

0055 (e) "Desiccant" means any substance or mixture of sub-
 0056 stances intended for artificially accelerating the drying of plant
 0057 tissue.

0058 (f) "Equipment" means any ground, water or aerial appa-
 0059 ratus, used to apply any pesticide but shall not include any
 0060 pressurized hand size household apparatus used to apply any
 0061 pesticide or any equipment, apparatus or contrivance of which
 0062 the person who is applying the pesticide is the source of power
 0063 or energy in making such pesticide application.

0064 (g) "Fungus" means any nonchlorophyll-bearing thallo-
 0065 phyte, including, but not limited to, rust, smut, mildew, mold,
 0066 yeast and bacteria, except those on or in man or other animals
 0067 and those on or in processed food, beverages or pharmaceuticals.

0068 (h) "General use pesticide" shall mean and include all pes-
 0069 ticides which have not been designated, by rule or regulation of
 0070 the secretary or the board, as being restricted use pesticides.

0071 (i) "Insect" means any small invertebrate animal having the
 0072 body segmented, belonging to the class insecta and other classes
 0073 of arthropods, including, but not limited to, beetles, bugs, bees,
 0074 flies, spiders, mites, ticks and centipedes.

0075 (j) "Registered pest control technician" means an uncertified
 0076 commercial applicator who applies pesticides for wood destroy-
 0077 ing pest control ~~or, for structural pest control, or both, for tree or~~
 0078 ~~ornamental shrubbery pest control, or for turf pest control, or~~
 0079 ~~for any combination of these types of pest control,~~ and who has
 0080 received verifiable training.

Delete []

Insert comma

0051 (k) "Nematode" means any unsegmented roundworms of the
 0052 class nematoda, with elongated, fusiform, or saclike bodies cov-
 0053 ered with cuticle, inhabiting soil, water, plants or plant parts.

0084 Such roundworms may also be referred to as nemas or eelworms.
0085 (l) "Person" means any individual, partnership, association
0086 of persons, corporation or governmental agency.

0087 (m) "Pest" means, but is not limited to, any insect, rodent,
0088 nematode, fungus, weed or any other form of terrestrial or
0089 aquatic plant or animal life or virus, bacteria or other microorga-
0090 nism, except viruses, bacteria or other microorganisms on or in
0091 man or other animals, or which the secretary may declare to be a
0092 pest:

0093 (n) "Pesticide" means, but is not limited to, (1) any substance
0094 or mixture of substances used to prevent, destroy, control, repel,
0095 attract or mitigate any pest and (2) any substance or mixture of
0096 substances intended to be used as a plant regulator, defoliant or
0097 desiccant.

0098 (o) "Pesticide business" means any individual, partnership,
0099 association of persons or corporation which applies pesticides to
0100 the property of another for compensation.

0101 (p) "Pesticide business licensee" shall mean an individual,
0102 business, association of persons, corporation ~~or governmental~~
0103 ~~agency~~ who is licensed or would be required to be licensed
0104 under the provisions of K.S.A. ~~1987 Supp.~~ 2-2440 ~~et seq.~~ A

Insert "or"

Delete []

Delete []

0105 ~~(p)~~ (q) "Pesticide dealer" means any person who sells a
0106 pesticide to another person for application.

Insert "as amended and supplemented."

0107 ~~(q)~~ (r) "Plant regulator" means any substance or mixture of
0108 substances intended through physiological action, to accelerate
0109 or retard the rate of growth or maturation, or to otherwise alter
0110 the behavior of plants but shall not include substances insofar as
0111 they are used as plant nutrients, trace elements, nutritional
0112 chemicals, plant inoculants or soil amendments. The term "plant
0113 regulator" shall not include any such nutrient mixtures or soil
0114 amendments as are commonly known as vitamin-hormone horti-
0115 cultural products, intended for improvement, maintenance, sur-
0116 vival, health and propagation of plants, and not for pest destruc-
0117 tion if such mixtures or soil amendments, in the undiluted
0118 packaged concentration are nontoxic and nonpoisonous.

0119 ~~(r)~~ (s) "Restricted use pesticide" shall mean and include all
0120 pesticide uses designated as such by rules and regulations of the

0121 secretary or the board.

0122 ~~(s)~~ (t) "Secretary" means the secretary of the state board of
0123 agriculture.

0124 ~~[(t) (u)]~~ "Tree, ornamental shrubbery or turf," and any similar
0125 phrase, includes only trees, ornamental shrubs or turf located
0126 on property which is within the boundaries of incorporated
0127 cities.]

Delete []

e ~~(t) (u) [(v)]~~ "Under the supervision of" means, unless other-
0129 wise provided by the labeling of the pesticide product, acting
0130 under the instructions and control of another person who is
0131 available if and when needed, even though such other person is
0132 not physically present at the time and place the act is done.

Delete [] and insert "(u)"

0133 ~~(u) (v) [(w)]~~ "Weed" means any plant or part thereof which
0134 grows where not wanted.

Delete [] and insert "(v)"

0135 Sec. 2. K.S.A. 1987 Supp. 2-2440a is hereby amended to read
0136 as follows: 2-2440a. (a) A pesticide business licensee applying
0137 pesticides for the control of wood destroying pests ~~or~~, structural
0138 pests, ~~[tree or] ornamental [shrubbery] pests or turf pests~~ shall
0139 ensure that registered pest control technicians who handle, mix
0140 or apply pesticides have been trained as provided in this act. The
0141 pesticide business licensee shall notify the secretary by the 10th
0142 of the month following the date of employment of the employ-
0143 ment of a registered pest control technician or a person to be
0144 trained as a registered pest control technician. The pesticide
0145 business licensee shall ensure that all persons employed by the
0146 pesticide business who apply pesticides and who are not regis-
0147 tered pest control technicians meet the requirements of this act
0148 within 90 days after they are employed. This requirement shall
0149 not apply to certified commercial applicators employed by the
0150 pesticide business licensee.

Delete []

0151 (b) This section shall be part of and supplemental to the
0152 Kansas pesticide law.

0153 ~~(b) This section shall take effect and be in force from and
0154 after January 1, 1988.~~

0155 Sec. 3. K.S.A. 1987 Supp. 2-2440b is hereby amended to read
0156 as follows: 2-2440b. (a) It shall be unlawful for any pesticide
0157 business licensee to apply pesticides for the control of wood

0158 destroying pests ~~or~~, structural pests, ~~[tree or] ornamental [shrub-~~
 0159 ~~bery]~~ pests or turf pests unless the applicator of the pesticide is a
 0160 certified commercial applicator or is a registered pest control
 0161 technician, except that an uncertified commercial applicator may
 0162 apply pesticides when either a certified applicator or registered
 0163 pest control technician is physically present.

0164 (b) Any such employee applying for a pest control technician
 0165 registration shall file an application on a form prescribed by the
 0166 secretary. Application for such registration shall be accompanied
 0167 by an application fee established by rules and regulations
 0168 adopted by the board, except that such fee shall not exceed \$25
 0169 and shall be reduced (but not below zero) by an amount equal to
 0170 the additional fee paid under subsection (b) of K.S.A. 2-2440 and
 0171 amendments thereto for such uncertified individual.

0172 (c) If the secretary finds the applicant qualified to be a
 0173 registered pest control technician after meeting the training
 0174 requirements determined by the secretary in rules and regula-
 0175 tions, the secretary shall issue a pest control technician registra-
 0176 tion which will expire at the end of the calendar year.

0177 (d) This section shall be part of and supplemental to the
 0178 Kansas pesticide law.

0179 ~~(b) This section shall take effect and be in force from and~~
 0180 ~~after January 1, 1988.~~

0181 Sec. 4. K.S.A. 1987 Supp. 2-2440c is hereby amended to read
 0182 as follows: 2-2440c. (a) Each registered pest control technician
 0183 shall have received training, to the extent prescribed by the
 0184 secretary by rules and regulations in each of the subjects enu-
 0185 merated in K.S.A. 2-2443a, and amendments thereto.

0186 (b) Within 90 days after the effective date of this act, each
 0187 pesticide business licensee who applies pesticides or causes
 0188 pesticides to be applied for the control of wood destroying pests
 0189 ~~or~~, structural pests, ~~[tree or] ornamental [shrubbery]~~ pests or turf
 0190 pests shall submit its training materials to the secretary for
 0191 approval. After initial approval, each such pesticide business
 0192 licensee shall resubmit its training materials for approval every
 0193 five years. **Training materials submitted to the secretary shall be**
 0194 **approved or disapproved** within 60 days of the date of ~~submis-~~

Delete []

Delete []

0195 sion to] the secretary. ~~[All training materials disapproved by the~~ Delete [] and insert "receipt by"
0196 ~~secretary shall be returned to the pesticide business licensee~~
0197 ~~within 60 days of receipt by the secretary together with]~~ a written Delete [] and insert "If the training materials submitted
0198 explanation of the reason for such disapproval. are disapproved, the secretary shall
0199 (c) Each pesticide business licensee who applies pesticides provide the pesticide business licensee
0200 or causes pesticides to be applied for the control of wood de- within 60 days of receipt of the training
0201 destroying pests or, structural pests, ~~[tree or] ornamental [shrubby]~~ Delete [] materials"
0202 pests or turf pests shall maintain records to verify that each
0203 registered pest control technician employed by such pesticide
0204 business licensee has been properly trained. These records shall
0205 contain the name of each person who takes the training to
0206 become a registered pest control technician, the date or dates of
0207 such training, the date the training was completed, and any other
0208 information required by the secretary. These records shall be
0209 maintained for a period of three years after the training has been
0210 given. These records shall be made available to the secretary or
0211 the secretary's authorized designee upon request.
0212 (d) ~~This section shall take effect and be in force from and (~~
0213 ~~after January 1, 1988 This section shall be part of and supple-~~
0214 ~~mental to the Kansas pesticide law.~~
0215 New Sec. 5. (a) Any pesticide business licensee who ~~applies~~
0216 ~~pesticides in violation of] subsection (a) of K.S.A. 1987 Supp.~~ Delete [] and insert "violates any of the provisions of"
0217 ~~2-2440b K.S.A. 2-2453 or 2-2454 and amendments thereto, in~~
0218 addition to any other penalty provided by law, may incur a civil
0219 penalty imposed under subsection (b) in the amount of \$500
0220 fixed by rules and regulations of the secretary in an amount not
0221 ~~less than \$100 nor] more than \$5,000 for each violation and, in the~~ Delete []
0222 case of a continuing violation, every day such violation continues
0223 shall be deemed a separate violation.
0224 (b) A duly authorized agent of the ~~board~~ secretary, upon a
0225 finding that a pesticide business licensee ~~or any employee or~~
0226 ~~agent thereof or any person or entity required to be licensed as a~~
0227 ~~pesticide business licensee] has applied pesticides in violation of~~
0228 ~~subsection (a) of K.S.A. 1987 Supp. 2-2440b]~~ and amendments Delete [] and insert "who violates any of the provisions of
0229 thereto, may impose a civil penalty as provided in this section K.S.A. 2-2453 and K.S.A. 2-2454"
0230 upon such licensee.
0231 (c) No civil penalty shall be imposed pursuant to this section

0232 except upon the written order of the duly authorized agent of the
0233 board secretary to the licensee who committed the violation.

0234 Such order shall state the violation, the penalty to be imposed
0235 and the right of such licensee to appeal to the board secretary.

0236 Any such licensee, within 20 days after notification, may make
0237 written request to the board secretary for a hearing or informal

0238 conference hearing in accordance with the provisions of the
0239 Kansas administrative procedure act. ~~If such licensee requests an~~

0240 ~~informal conference hearing but wishes to appeal the decision of~~
0241 ~~the secretary affirming, reversing or modifying the written order~~

0242 ~~such licensee may within 20 days request a formal hearing in~~
0243 ~~accordance with the provisions of the Kansas administrative~~

0244 ~~procedure act.]~~ The board secretary shall affirm, reverse or mod-
0245 ify the order and shall specify the reasons therefor.

0246 (d) Any person aggrieved by an order of the board secretary
0247 made under this section may appeal such order to the district

0248 court in the manner provided by the act for judicial review and
0249 civil enforcement of agency actions.

0250 (e) Any civil penalty recovered pursuant to the provisions of
0251 this section shall be remitted to the state treasurer, deposited in

0252 the state treasury and credited to the state general fund.

0253 (f) This section shall be a part of and supplemental to the
0254 Kansas pesticide law.

0255 Sec. 6. K.S.A. 1987 Supp. 2-2438a, 2-2440a, 2-2440b and 2-
0256 2440c are hereby repealed.

0257 Sec. 7. This act shall take effect and be in force from and
0258 after its publication in the statute book.

Insert "pesticide business"

Delete []

Insert "January 1, 1989, and "

HOUSE BILL No. 2813

Representatives Bryant and Teagarden

2-5

Attachment 2
3-30-88

0018 AN ACT relating to liens for veterinary services; providing for
0019 filing and satisfaction thereof; amending K.S.A. 47-836 and
0020 repealing the existing section.

0021 *As it enacted by the Legislature of the State of Kansas:*

0022 Section 1. K.S.A. 47-836 is hereby amended to read as fol-
0023 lows: 47-836. A veterinarian, ~~or~~ a veterinary partnership or a
0024 veterinary corporation offering veterinary service to animals in
0025 the field or otherwise, who shall, at the request of the owner or
0026 lawful possessor of any animal or animals, bestow any profes-
0027 sional attention, care, vaccines, antisera, virus, antibiotics, or
0028 other medical treatment, food or service upon the same shall
0029 have a lien upon such animal or animals for the just and reason-
0030 able charges therefor, and may hold and retain possession of
0031 such animal until such charges are paid, but such lien shall be
0032 valid irrespective of possession of such animal or animals if the
0033 veterinarian recorded a verified notice of the lien upon such
0034 animal or animals in the office of the register of deeds in the
0035 county in which such veterinary services were rendered prior to
0036 the expiration of 60 days after such services were rendered. The
0037 lien hereby created shall have preference over any and all other
0038 liens or encumbrances upon such animal or animals, except for
0039 possessory liens under K.S.A. 58-207 and 58-220 and amend-
0040 ments thereto, regardless of where such veterinary service has
0041 been rendered. *In addition to the lien granted under this sec-*
0042 *tion, a veterinarian shall have a lien as provided under sections*
0043 *2 to 4, inclusive, and amendments thereto.* A lien under this
0044 section may not be enforced against a subsequent purchaser of
0045 the animal treated unless the purchaser has received actual prior

possessory
and the nonpossessory lien created under this section shall
have preference over any and all other liens or encum-
brances upon such animal or animals
and previously perfected security interests

HOUSE BILL No. 3068

By Committee on Agriculture and Small Business

2-24

3/25/88
attachment 3
3-30-88

0018 AN ACT relating to agriculture; concerning actions to enjoin the
0019 use of agricultural chemicals; providing for the payment of
0020 costs and attorney fees in certain cases; amending K.S.A.
0021 2-3203 and repealing the existing section.

0022 *Be it enacted by the Legislature of the State of Kansas:*

0023 New Section 1. In any case in which an action for injunction
0024 is brought for the misuse of agricultural chemicals and the court
0025 finds that the defendant properly used the agricultural chemicals
0026 according to state and federal law and the label instructions and
0027 that the plaintiff sustained no damages from the use of such
0028 agricultural chemicals, the court may assess against the plaintiff
0029 reasonable attorney fees and expenses incurred by the defendant
0030 as a result of such action. In addition, the court may assess
0031 against the plaintiff additional losses and costs incurred by the
0032 defendant upon proof that such losses and costs were the result

alleging the prior

0033 of the bringing of such action. This section shall be part of and
0034 supplemental to the provisions of article 32 of chapter 2 of the
0035 Kansas Statutes Annotated and acts amendatory of the provisions
0036 thereof or supplemental thereto.

an injunction granted as part of

0037 Sec. 2. K.S.A. 2-3203 is hereby amended to read as follows:
0038 2-3203. As used in this act:

Any assessment under this section shall be reduced (but not below zero) by an amount equal to the amount of any bond forfeited to the defendant under article 9 of chapter 60 of the Kansas Statutes Annotated. An assessment under this section shall be collected as costs in the action.

0039 (a) "Agricultural activity" means the growing or raising of
0040 horticultural and agricultural crops, hay, poultry and livestock,
0041 and livestock, poultry and dairy products for commercial pur-
0042 poses.

0043 (b) "Farmland" means land devoted primarily to an agricul-
0044 tural activity.

0045 (c) "Person" means any individual, partnership, profit or
0046 nonprofit corporation, trust, organization or any other business

047 entity, but does not include any governmental entity.

048 (d) "Agricultural chemical" means those agricultural chem-
049 icals as defined in the agricultural chemical act set forth in
050 K.S.A. 2-2201 et seq., and amendments thereto.

051 Sec. 3. K.S.A. 2-3203 is hereby repealed.

052 Sec. 4. This act shall take effect and be in force from and
053 after its publication in the statute book.

SENATE RESOLUTION NO. _____

By Committee on Agriculture

A RESOLUTION memorializing and urging Congress to enact legislation which would establish uniform national labeling standards to be used by food manufacturers to provide consumers with full, complete and accurate information concerning volume and percentage of oils and other ingredients contained in packaged foods.

WHEREAS, Consumers throughout the nation are becoming more health conscious and more concerned about the foods they eat; and

WHEREAS, Citizens are demanding complete and accurate information on ingredients contained in processed, packaged food products, and are not asking for recipes or trade secrets to be divulged; and

WHEREAS, A recent survey of 2,500 food products found 1,155 items containing fats and oils; and

WHEREAS, More than one-third of such food products claimed to contain "100% vegetable oils", but actually included "tropical oils" such as palm, palm kernel, or coconut oil, each of which is high in saturated fats; and

WHEREAS, Current labeling requirements and practices make it impossible to know the kind, volume or percentage of oil used in any food product; and

WHEREAS, Consumers are also concerned with water and other ingredients being added to or combined with pork products; and

WHEREAS, Kansans, as well as consumers throughout the country, have a right to full disclosure on the label of ingredients in the food products they buy: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we urge Congress to enact legislation to establish uniform national labeling standards for food manufacturers and processors

attachment 4
3-30-88

in order to benefit consumers and provide them with accurate information so they may make informed choices on food purchases and

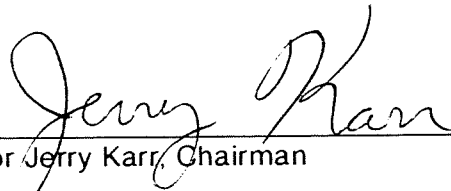
Be it further resolved: That the Secretary of the Senate directed to send enrolled copies of this resolution to the President of the United States Senate; the Speaker of the United States House of Representatives; and to each member of the Congressional delegation from the State of Kansas.

SUBCOMMITTEE REPORT

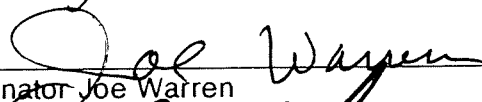
H.B. 2623 -- NOXIOUS WEEDS

The Subcommittee on H.B. 2623 met on March 24, 1988, in Room 254-E, Statehouse. The Subcommittee discussed the possible options available regarding the initiation of a program where cost-share certificates would be issued to landowners and used to purchase chemicals at a reduced price at retail chemical dealerships. The Subcommittee also discussed the possible implementation of a pilot program involving six to eight counties issuing cost-share certificates. However, the Subcommittee makes no recommendation in this regard.

The Subcommittee does recommend that the Committee amend H.B. 2623 to permit the board of county commissioners of any county to declare sericea lespedeza a noxious weed. Under current law (K.S.A. 2-1314b), boards of county commissioners may declare the multiflora rose to be a noxious weed. This statute also permits the Secretary of the State Board of Agriculture to declare multiflora rose a noxious weed in a particular county by means of a petition process from qualified electors of a particular county. The recommendation would treat sericea lespedeza in the same manner as the multiflora rose. This recommendation was made as a result of the concern expressed by conferees regarding the need to control sericea lespedeza.



Senator Jerry Karr, Chairman



Senator Joe Warren



Senator Dan Thiessen

HB2623.rg/jar

attachment 5
3-30-88

PROPOSED AMENDMENT TO H.B. 2623

It is proposed that H.B. 2623 be amended to direct the State Board of Agriculture to establish a pilot "producer option cost-share certificate program". The pilot program will be operated in no more than 12 counties for two years. Participation in the pilot program will be strictly voluntary, at the discretion of the county commissioners. The pilot program will be in effect from January 1, 1989 until January 1, 1991.

Under the program, producers/landowners will have the option of purchasing chemicals for use in noxious weed control from the county weed department at discount or from a retailer with cost-share certificates provided by the county weed department. The Board of Agriculture will be responsible for determining which volunteering counties will be included in the pilot program and for establishing the guidelines for operating the program.

attachment 6
3-30-88