

MINUTES OF THE Senate COMMITTEE ON Agriculture

The meeting was called to order by Senator Allen at
Chairperson

10:12 a.m. ~~xxx~~ on March 1, 1989 in room 423-S of the Capitol.

All members were present except: Senator Frahm (excused)
Senator Francisco (excused)

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

Conferees appearing before the committee: Tom Wilson, Director, Kansas State Grain
Inspection Department
Tom Tunnell, Kansas Grain and Feed Association
Wilbur Leonard, Kansas Committee of Farm
Organizations

Senator Allen called the committee to order and called attention to SB 277 concerning grain storage and warehouses and called on Tom Wilson to explain.

Mr. Wilson explained that eight items are addressed in SB 277. Three issues pertain to the storage of grain by unlicensed facilities and that the Attorney General has told the State Grain Inspection Department that those facilities cannot be dealt with by the State Grain Inspection Department. Section 1 (6) gives the department authority to investigate and monitor a grain handling facility that is believed to be operating without a license. Section 3 (h) of SB 277 gives the department the authority to charge for monitoring services at the same rates licensed facilities are charged. Section 8 (d), (e) and (f) gives the department the authority to handle a facility that is determined to be insolvent the same as it would handle a solvent facility. Mr. Wilson explained that changes in Section 2 were cleanup language for today's terms. Also, in Section 2 in lines 101, 102, and 103 a new charge is allowed for requirements the FGIS may require sometime later this year. Section 3 (2) would allow the director to give a grain business that has gone out of business an extension of 30 days for getting a financial statement to the department. Sections 4, 5 and 6 are changed so that a violation is classified as a class A misdemeanor so that all violations are considered as the same type of misdemeanor. Mr. Wilson stated that Section 7 changes the deductible required for a warehouseman's insurance from \$250 to \$10,000.

The Chairman called on Tom Tunnell.

Mr. Tunnell expressed support for SB 277 by the organizations that he represents. Mr. Tunnell stated the proposed change in the deductible requirement for warehouseman's insurance a positive change.

The Chairman declared the hearing closed for SB 277 and called for committee action.

Senator Doyen moved the committee recommend SB 277 favorably for passage. Senator Daniels seconded the motion. Motion carried.

The Chairman turned committee attention to SB 256 for action and called on Wilbur Leonard to present an amendment.

Mr. Leonard gave copies of the proposed amendment for SB 256 to the committee (attachment 1). Mr. Leonard explained the amendment stated how a labor relations board would be selected if and when needed. The board of three would be chosen one from each group of three nominated by the Secretary of the State Board of Agriculture, the Secretary of

Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.

CONTINUATION SHEET

MINUTES OF THE Senate COMMITTEE ON Agriculture,
room 423-S, Statehouse, at 10:12 a.m./~~p.m.~~ on March 1, 1989

the Department of Human Resources and the Secretary of Administration.
Mr. Leonard requested the committee accept the proposed amendment.

The Chairman called for committee action.

Senator Karr made a motion the committee accept the amendment as proposed by Mr. Leonard. Seconded by Senator Harder. Motion carried.

Senator Montgomery made a motion the committee recommend SB 256 favorably for passage as amended. Seconded by Senator Lee; motion carried.

The Chairman called for committee action on committee minutes.

Senator Daniels moved the committee minutes of February 28 be approved; seconded by Senator Sallee; motion carried.

The Chairman announced that the committee would meet the following day to take committee action on SB 173 and then adjourned the committee at 10:39 a.m.

155 appointment of the agricultural employee representative mem-
 156 ber of the board shall be made by the governor from a list of
 157 three nominations submitted to the governor by the secretary
 158 of human resources; the appointment of the agricultural em-
 159 ployer representative member of the board shall be made by
 160 the governor from a list of three nominations submitted to the
 161 governor by the state board of agriculture; and the appointment
 162 of the public representative member of the board, who, because
 163 of vocation, occupation or affiliation, may be deemed not to be
 164 a representative of either agricultural employers or agricultural
 165 employees, shall be made by the members appointed by the
 166 governor as agricultural employee representative and agricul-
 167 tural employer representative. If the two members do not agree
 168 and make the appointment of the third member within 30 days,
 169 the governor shall appoint the representative of the public and
 170 which shall be activated only when a complaint is filed with the
 171 secretary of the state board of agriculture alleging the existence of
 172 a controversy under this act. The secretary of the state board of
 173 agriculture shall forthwith request ~~the committee of Kansas farm~~
 174 ~~organizations to submit to the governor, within 15 days thereafter,~~
 175 ~~three separate lists, each containing the names of at least three~~
 176 ~~persons, representative of agricultural employers, agricultural em-~~
 177 ~~ployees and the public at large. From each of such lists the governor,~~
 178 ~~within 10 days after receiving the same, shall appoint one member~~
 179 ~~to serve on the board. The member representing the public at large~~
 180 ~~shall serve as the chairperson of the board. Not more than two~~
 181 ~~members of the board shall belong to the same political party. Every~~
 182 ~~member of the board shall serve until a successor is appointed and~~
 183 ~~qualified. Any vacancy in the membership of the board occurring~~
 184 ~~prior to the expiration of a term time the board is deactivated shall~~
 185 ~~be filled by the appointment for the unexpired term of a new~~
 186 ~~member in the same manner as provided for original appointment~~
 187 ~~of the member being replaced.~~

188 (b) Members of the agricultural labor relations board attending
 189 meetings of the board; or attending a subcommittee meeting
 190 thereof authorized by the board; shall be paid compensation, sub-
 191 sistence allowances, mileage and other expenses as provided in

SENATE BILL NO. 256

Suggested amendment to Section 2 (a)

the secretary of human resources to submit to the
 governor, within 15 days, a list containing the names of
 at least three persons, representative of agricultural
 labor; the secretary of the state board of agriculture
 shall forthwith request the secretary of administration
 to submit to the governor, within 15 days, a list contain-
 ing the names of at least three persons, representative of
 the public generally and not identified with either agricul-
 tural employers or employees; and the secretary of the state
 board of agriculture, within 15 days, shall submit to the
 governor a list containing the names of at least three
 persons, representative of agricultural employers.

Senate Agriculture
 3-1-89
 Attachment 1