

Approved

Thomas F. Walker  
Date 2-1-90

MINUTES OF THE HOUSE COMMITTEE ON GOVERNMENTAL ORGANIZATION

The meeting was called to order by Representative Thomas F. Walker at  
Chairperson

9:00 a.m./p.m. on Tuesday, January 30, 1990 in room 522-S of the Capitol.

All members were present except:

Committee staff present:

Avis Swartzman - Revisor  
Carolyn Rampey - Legislative Research  
Jackie Brey Meyer - Committee Secretary

Conferees appearing before the committee:

Larry Woodson - Director of Inspections, Kansas State Board of Agriculture  
Tom Tunnell - Executive Vice President, Kansas Grain and Feed Association  
Tom Wilson - Director, Kansas State Grain Department

The meeting of the House Governmental Organization Committee was called to order by Representative Thomas F. Walker, Chairman. He stated the minutes of the previous meeting would stand approved if there were no corrections or additions. He announced that today's agenda was HB 2677 - weights and measures.

Larry Woodson, Director of Inspections, Kansas State Board of Agriculture, was first on the agenda. He stated that the testing of headhouse scales at grain elevators is currently the responsibility of the Kansas Grain Inspection Department. The scales are in the upper portion of the grain elevators. The scales are referred to as "hopper" or electric bulk weighing scales due to their design. The scales are tested every six months. The Kansas Grain Inspection Department charges for this service. Mr. Woodson told of how the weights are transported and put in place for the scale to be tested for accuracy. After testing is done at one elevator, the inspector transports the weights to another elevator where testing is done again. The accuracy of these scales is essential to the elevators who receive or ship grain. The transferring of the program to the Kansas State Board of Agriculture will permit close supervision by the State Sealer who is responsible for all other testing of commercial weighing and measuring devices in the state. There is a fee charged for the testing of these devices. The fee recoups the cost of providing the service. Legislation would be required for any increases in the cost of operation. Transferring this service to the Kansas State Board of Agriculture will eliminate the fee schedule and permit charges of up to \$50 an hour for the testing of devices, as well as subsistence and transportation costs. It is not anticipated the fee will increase. The program is designed to be fee funded and self-supporting. (Attachment 1)

Mr. Woodson responded to several questions from committee members.

Tom Tunnell, Executive Vice President, Kansas Grain and Feed Association, spoke in favor of HB 2677. He stated that because the Board of Agriculture already has authority to test all other commercial scales, the changes in this bill are positive and necessary. (Attachment 2)

Tom Wilson, Director, Kansas State Grain Department said that this service was forced on the department because someone needed to do it. Many hours have gone into seeing that this transferring of the program will work. It will be deleted from the grain department and added to the board's budget. There will be no problem in this area.

The northeastern Kansas elevator bankruptcy situation was touched upon briefly.

Mr. Wilson stated there would be no fiscal impact. It is a 'break even' situation; everyone signed off in both departments.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON GOVERNMENTAL ORGANIZATION,  
room 522-S, Statehouse, at 9:00 a.m./p.m. on Tuesday, January 30, 1990

Mr. De Vern Phillips, State Sealer, was asked to define his job. He responded by saying the state sealer has physical custody of the state's official weights & measures standards used to test scales.

As there were no other conferees on HB 2677, the Chairman declared the hearing closed on the bill.

The meeting adjourned at 9:30 a.m.



HOUSE COMMITTEE ON GOVERNMENTAL ORGANIZATIONS

January 29, 1990

Mr. Chairperson, Members of the House Committee on Governmental Organizations, my name is Larry D. Woodson, Director of Inspections for the Kansas State Board of Agriculture. I am here today to testify on behalf of House Bill No. 2677.

HEADHOUSE SCALE TESTING PROGRAM

Testing of commercial scales statewide with the exception of scales in the headhouses of elevators, is a responsibility of Kansas State Board of Agriculture; Division of Inspections; Agricultural Commodity Assurance Program. The headhouse scale program monitors and removes from commercial service those headhouse scales that are not accurate. Millions of tons of products are weighed and shipped through these devices annually. The testing assures both buyer and seller accurate and correct weights of the products. Testing of headhouse scales at grain elevators is currently the responsibility of the Kansas Grain Inspection Department. This process involves testing the scales in the upper portion of grain elevators or "headhouses". These types of scales are referred to as "hopper" and/or electronic bulk weighing scales due to their design. These scales are tested each six (6) months by the one inspector assigned to this program. The Kansas Grain Inspection Department charges for this service. This inspector transports 10,000 lbs or 200 - 50 lb weights in a trailer pulled by a one-ton pickup. The elevator employees transport the weights by hand inside the elevator, puts them on a "manlift" (normally 100 lbs at a time) and the "manlift" carries them to the top of the elevator (headhouse). When sufficient weights have been transported up the "manlift" (often 10,000 lbs - 200 x 50 lbs), the scale is tested for accuracy. After the scale is tested, the weights are returned to the ground by way of the manlift and returned to the trailer. The inspector then transports them to another elevator to begin the testing process over again.

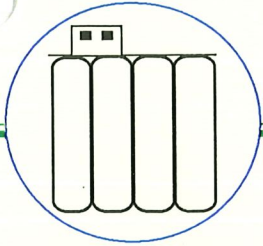
ATTACHMENT 1  
G.O. COMMITTEE  
1/30/90

The scales tested by this inspector are normally used for shipping and receiving grain, over which much of the grain in Kansas is sold. These hopper scales discharge into rail cars, transport trucks and barges for shipment to milling operations and/or overseas shipment. Accuracy of these devices is critical to the profitability of elevators selling and handling, as well as receivers of these grains.

Continuation of this program at its current level of operation with transfer of authority and responsibility resting with Kansas State Board of Agriculture is a primary goal. No changes in the methodology of testing is proposed at this time. Accuracy of weighing and measuring devices becomes more and more important as prices of these products increase and profit margins decrease. Transfer of this program to Kansas State Board of Agriculture permits close supervision by, and expertise from, the State Sealer who is responsible for all other testing of commercial weighing and measuring devices in Kansas.

This service, as currently provided by The Kansas Grain Inspection Department, charges, through a fee schedule, for the testing of these devices. This fee schedule recoups the current cost of providing this service, but requires change by legislation to respond to any increases in costs of operation. The transfer to the Kansas State Board of Agriculture will eliminate the fee schedule and will permit charges of up to \$50 per hour for the testing of devices, as well as subsistence and transportation costs. It is not anticipated that the fees to users for the services rendered will increase. This new method of recouping the actual cost of providing the service allows sufficient flexibility to permit for increases in costs of operation, without frequent changes in legislation necessary to modify a fee schedule. This program is designed to be fee funded and self-supporting. Charges are for work performed through this inspection process as a service to industry to assure accuracy of devices and correct weights and measures.

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**KANSAS GRAIN AND FEED ASSOCIATION**

STATEMENT OF THE

KANSAS GRAIN AND FEED ASSOCIATION

TO THE COMMITTEE ON GOVERNMENT ORGANIZATION

REP. THOMAS F. WALKER, CHAIRMAN

REGARDING HB 2677

JANUARY 30, 1990

Mr. Chairman and Members of the Committee, my name is Tom R. Tunnell. I am Executive Vice President of the Kansas Grain and Feed Association. Our association has as members over 1,000 grain storage warehouses located throughout the state representing approximately 98% of all commercially licensed grain storage in Kansas.

I appear today in favor of House Bill 2677. As previously stated, this bill will transfer the authority for testing grain elevator hopper scales and electronic bulk weigher from the Grain Inspection Department to the Board of Agriculture. Because the Board of Ag already has authority to test all the other commercial scales, we believe the changes embodied in HB 2677 are positive and necessary.

Thank you for this opportunity to comment.

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ATTACHMENT 2  
G.O. COMMITTEE  
1/30/90