

MINUTES OF THE HOUSE COMMITTEE ON AGRICULTURE.

The meeting was called to order by Chairperson Joann Flower at 9:00 a.m. on January 31, 1995, 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  
Kay Scarlett, Committee Secretary

Conferees appearing before the committee:  
Norma Daniels, Kansas Rural Development Council  
Steve Bittel, Kansas Rural Development Council

Others attending: See attached list

Chairperson Flower welcomed members of KLA Young Stockmen's Leadership Conference that were in attendance. She asked the committee to review the minutes of January 26. If there were corrections or additions to please notify the secretary by 5:00 p.m. today or they would be considered approved as presented.

Norma Daniels, Chairperson of the Kansas Rural Development Council, reported that the KRDC was a 72-member organization created in November, 1990, to strengthen the economy and enhance quality of life for rural Kansans. Kansas was one of eight pilot states; now 39 states have councils. The council is composed of heads of federal agencies in Kansas, Kansas agency heads, local government, and private sector representatives. The mission of the Kansas Rural Development Council is to provide a framework within which public and private sector resources can be used to promote rural development. (Attachments 1 and 2)

Steve Bittel, Executive Director, Kansas Rural Development Council, updated the committee on the many accomplishments of the council, as well as some of their current projects. He stressed the many different agencies and organizations that have worked together on each of these projects. One of the biggest problems currently facing many rural towns is the lack of housing. They have scheduled six rural housing conferences during February and March to assist with financial programs and other available resources. They are planning three public forums in 1995 to inform rural Kansans on environmental issues--water, wetlands, and value-added agricultural products. (Attachment 3)

**Discussion and action on HB 2104 - An act concerning pest control; relating to pesticide business services forms**

The chair called for the subcommittee report on **HB 2104** by Representative Lloyd. Representative Lloyd asked Jill Wolters, Revisor of Statutes, to explain the subcommittee's proposed amendment to **HB 2104**. Jill stated that K.S.A. 2-2455 (a) (4) as amended by the subcommittee would read "pesticide to be used including the quantity applied and total area to which the pesticide is applied;" a new (5) would add, "the concentration or rate of application, when applicable;" with the remaining sections renumbered accordingly. The effective date was changed to publication in the Kansas register, instead of the statute book. This would make the legislation applicable to this spring's spraying season. (Attachment 4)

**Representative Freeborn moved to accept the balloon amendment to HB 2104 as presented. Representative Howell seconded the motion. Motion carried. Representative Lloyd moved to pass HB 2104 out favorably as amended. The motion was seconded by Representative Freeborn. The motion carried.**

Chairperson Flower called the committee's attention to the itinerary for the Kansas City Board of Trade trip on Friday, February 3, 1995. (Attachment 5) Also, included with the handouts was a reprint from the *Mulvane*

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON AGRICULTURE, Room 423-S Statehouse, at 9:00 a.m. on January 31, 1995.

*Coop News* reporting on Worker Protection Standards effective January 1, 1995, compliments of Representative Powers. (Attachment 6)

The meeting adjourned at 9:40 a.m. The next meeting is scheduled for February 2, 1995.

# HOUSE AGRICULTURE COMMITTEE GUEST LIST

DATE: January 31, 1995

1 of 2

NAME	REPRESENTING
Jamie Clover Adams	KS Fert & Chem Assn
Steve Bittel	KROC
Menna Daniels	Ks. Rural Devol. Council
Steve Hoove	KL A
Shari Bennett	KLA
<del>Janet Stuchko</del>	KLA
<del>Paul O. Fann</del>	KLA
Amber Pike	KLA
Jay Schmalzried	KLA
Lennie Bosley	KLA
Rob Bolton	KLA
Brian Maloney	K.L.A.
Jason Skelton	KL A
Dale E. Maneth	KLA
Janet Bergstrom	KLA
Jon Ferguson	KLA
Christa L. Wolf	SRS
JOE Rickabaugh	KLA
Stacey Krehbiel	KLA

# HOUSE AGRICULTURE COMMITTEE GUEST LIST

DATE: January 31, 1995

2 of 2

NAME	REPRESENTING
John Woodberry	KLA
Denny Spradell	KLA
Dakki Barrow	KLA
Bret Chittam	KLA
Tom Mulroy	KLA
Matt Hollis	KLA
James Poffeder	KLA
John Harsch	KLA

## Action Items

The Kansas Rural Development Council can undertake any activity or project intended as a response to development issues having multi-dimensional significance. Such a response should be based on one or more of the Council's strategic principles and should result in regional, or multi-community, benefits.

Characteristics of an action item include:

- To overcome a specific regulatory barrier.
- To demonstrate an innovative economic diversification model.
- To commission a policy paper on a specific development issues.
- To convene a planning conference.
- To elevate an issue to the level of the Economic Policy Council or a congressional committee.

## Process For Assistance

Ideas for action items, on a policy or a project level, are received and reviewed for Council adoption by its executive committee. The executive director is responsible for coordinating the action item review, adoption and implementation process. Council members will be called on as needed to provide assistance to this process.

**Steve Bittel, Executive Director**  
**Karen McClintock, Secretary**

**Kansas Rural Development Council**  
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Topeka, KS 66603-3755  
Phone: 913/296-1847

## KRDC Members

### FEDERAL AGENCIES

Environmental Protection Agency  
Federal Emergency Management Agency

Federal Transit Administration

KSU Cooperative Extension Service

Rural Development Administration

Rural Electrification Administration

U.S. Army Corps of Engineers

USDA Agriculture Stabilization and Conservation Service

USDA Farmers Home Administration

USDA Forestry Service

USDA Soil Conservation Service

U.S. Department of Commerce

U.S. Department of Education

U.S. Department of Health and Human Services

U.S. Department of Housing and Urban Development

U.S. Department of Labor

U.S. Small Business Administration

U.S. Department of Veterans Affairs

### STATE AGENCIES

Governor of Kansas

Kansas Board of Regents

Kansas Department on Aging

Kansas Department of Commerce

Kansas Department of Education

Kansas Department of Health & Environment

Kansas Department of Human Resources

Kansas Department of Social and Rehabilitation Services

Kansas Department of Transportation

Kansas Department of Wildlife and Parks

Kansas House of Representatives

Kansas, Inc.

Kansas Senate

Kansas Small Business Development Centers

Kansas State Board of Agriculture

Kansas State Historical Society

Kansas Value Added Center

Kansas Water Authority

Kansas Water Office

State Library

### OTHER

#### ORGANIZATIONS

Certified Development Companies/Regional Economic Development Districts

Farmer's Union

Huck Boyd National Institute for Rural Development

Kansas Association of Counties

Kansas Bankers Association

Kansas Farm Bureau

KTEC and MAMTC

League of Kansas Municipalities

Tribal Nations

### PRIVATE SECTOR

Utilities, business and agriculture

# Kansas Rural Development Council



## Serving Rural Kansans

*House Agriculture  
Attachment 1  
1-31-95*

## Kansas Rural Development Council

The Kansas Rural Development Council (KRDC) is a 62-member organization created to strengthen the economy and enhance quality of life for rural Kansans. The membership is comprised of heads of federal agencies in Kansas, Kansas agency heads, and local government and private sector representatives.

KRDC was organized in November 1990 as part of the White House Rural Development Initiative Program. Kansas is one of eight states chosen to pilot the program. By the end of 1992, thirty-six states are expected to be in this program. The overall mission of the White House Program is to: Improve the economic and social well-being of the nation's rural people by strengthening the capacity of rural America to be competitive in a global economy. The charge for the Council to achieve this is:

- Foster an environment to create intergovernmental and interdepartmental senior-level partnerships to collaborate with the private sector in program development and resource allocation to rural citizens.
- Develop a long-term strategic approach to rural development.
- Identify and resolve barriers to rural development.
- Ensure that the benefits of rural development are shared by all rural citizens.

## Mission

*The mission of KRDC is to provide a framework within which public and private sector resources can be used to promote rural development. The Council will serve as a forum for effective collaboration between the various entities to meet the needs and identify issues affecting rural Kansas. The Council will provide leadership in making strategic use of available resources to achieve short and long term rural development. In addition, the Council will serve as a focal point for identifying and addressing interdepartmental and intergovernmental barriers to implementing a long term rural development strategy.*

## Goals

- Retain and develop quality job opportunities in rural areas.
- Facilitate development of plans for providing reasonable access to appropriate levels of health care for residents of rural communities.
- Promote greater access to debt and equity capital for credit worthy rural businesses.
- Facilitate and encourage leadership development for present and new rural leaders, volunteers and local government officials.
- Enhance communication, coordination and cooperation between and among rural service providers.
- Make the latest technological advances in telecommunication available to rural communities.
- Increase the fiscal capacity for local economic development through cooperative agreement and, where feasible and locally acceptable, coordination of services.
- Facilitate the coordination of state and federal activities in the implementation of the state water plan.

**KRDC is not just another agency to be dealt with when solving local problems. KRDC has no money to lend and will not tell you what to do. Programs will still be administered through appropriate service providers.**



## What does this mean to rural Kansans?

- KRDC members know each other on a first-name basis and, through continued interaction, they develop a rapport that becomes very useful when working with issues that involve several different agencies and units of government.
- Since KRDC represents most of the public resources available to rural Kansans, it can more readily pool resources to increase efficiency in delivery.
- With local government and private sector representation, KRDC is better informed of local problems and can better respond to these needs.

1-2

## MEMBERS OF KANSAS RURAL DEVELOPMENT COUNCIL

### EXECUTIVE COMMITTEE:

#### CHAIR

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*House Agriculture  
Attachment 2  
1-31-95*

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# KANSAS RURAL DEVELOPMENT COUNCIL

**General Purpose:** To make government more accessible to rural citizens

**Structure:** 72 members representing Federal, State and local government and private sector --- all nonfederal members are appointed by the Governor

Established by a Memorandum of Understanding between Governor and U. S. Department of Agriculture --- 39 states have councils

## **Primary Accomplishments:**

*Halstead Flood Project* --- mediated impasse between Corps of Engineers and National Historic Trust

- \* saved \$120,000 on contract delay clause
- \* involved Senator Dole's Office and Congressman Glickman's Office as well as Historical Society and city government

*Banner Creek Project* --- moved up funding for detention dam for wholesale water district and delayed section Highway 75 upgrade

- \* saved \$240,000 on bridge design for highway
- \* involved U.S.D.A. Soil Conservation Service, Kansas Department of Transportation, Jackson County and City of Holton

*Single Loan Application* --- KRDC has been working on this project for the past two years --- the purpose is the development of an application that fits

*House Agriculture  
Attachment 3  
1-31-95*

all financial programs. The SBA 7(a) (the most commonly used public assistance program) has been that single application form. All other forms are supplemental. Currently a demonstration program using this form is being assembled.

*Kansas Leadership Directory* --- KRDC with the assistance of Fort Hays State University printed a directory of over 150 current leadership programs in Kansas. This directory includes program descriptions, objectives, curriculum outline and contacts for adult, community based and professional programs. The Kansas Leadership Directory can be found in community libraries, chambers of commerce and economic development offices throughout the state.

*High Plains Trade Satellite Conference* --- With a \$10,000 grant from U.S.D.A. Economic Research Service. KRDC and the Huck Boyd National Institute for Rural Development conducted a conference on trade potential in the plains region. Recognized national and regional experts discussed the potential of international trade along with specific issues needing to be resolved. SRDC's participating: Texas, Oklahoma, Nebraska, South Dakota and Colorado.

*Job Training Study* --- KRDC obtained a \$20,000 grant from U.S.D.A. Economic Research Service to help Kansas Inc. with the rural segment of the job training and retraining study in the State. The counties involved are Ellis and Graham in the west and Allen, Wilson, Bourbon, Crawford, Neosho, Woodson, Montgomery, Labette and Cherokee in the southeast. The study was completed in November, 1994.

*Data-Base Project* --- Stand alone menu driven computer program listing 280 State and Federal programs. One copy is available through INK and the remainder of the diskettes have been distributed to cities, counties, Chambers of Commerce, Economic Development Offices, county extension officers, regional groups and etc.

### **Current Projects:**

*Timber Inventory* --- Working with State Forestry and National Forestry Officials on the development of a timber inventory in Kansas. KRDC's role has been and will continue to work with the timber utilization experts and private land owners to get the best value added processing of the resource ... timber bridges, dimension mills and etc.

*Trade Development Inventory* --- An outgrowth of the High Plains Trade Conference has been an inventory of international trade assistance programs available in the plains region. This inventory and a series of recommendations was conducted by the Huck Boyd National Institute for Rural Development and KRDC with financial banking by U.S.D.A. Economic Research Service. The inventory was completed in October, 1994.

*Rural Capital Formation* --- The Council is presently developing a financial data-base to be used by people working with small businesses. This data-base will have all public assistance programs dealing with finance. The difference between this and the original data-base will be the amount of

data available per entry. The Council is also working with other SRDCs in the region to resolve barriers to rural finance.

*Beginning Farmer Programs* --- The Council is working with the various State and Federal Agencies engaged in young farmer programs. The purpose of this group is to:

- 1) market all programs under one package, and
- 2) develop recommendations to make the program more effective.

*Rural Housing* --- One of the greatest problems facing many rural towns is the lack of housing. KRDC has implemented a task force to help communities facing housing shortages. The emphasis is on moderate income single family dwellings. The task force:

- \* Developed a matrix of current programs.
- \* Conducted a Housing Forum in Southeast Kansas, hosted by Mid-America Inc. --- Fourteen program managers representing six agencies were presenters at the forum.
- \* Six housing conferences are scheduled for early 1995.

### **1995 Action Agenda**

Six Rural Housing Conference designed to help communities use existing financial programs and also alert them to available resources.

- \* Fort Scott, Kansas; Thursday, February 2, 1995
- \* Manhattan, Kansas; Tuesday, February 14, 1995
- \* Atchison, Kansas; Wednesday, February 15, 1995
- \* Hays, Kansas; Tuesday, February 28, 1995

- \* Colby, Kansas; Wednesday, March 1, 1995
- \* Garden City, Kansas; Thursday, March 2, 1995

Three public forums designed to inform rural Kansans on environmental issues. These forums will cover water, wetlands and value-added agriculture products.

Update KRDC data-base and expand the programs listings.

HOUSE BILL No. 2104

By Committee on Agriculture

1-18

9 AN ACT concerning pest control; relating to pesticide business services  
10 forms; amending K.S.A. 2-2455 and repealing the existing section.

11  
12 *Be it enacted by the Legislature of the State of Kansas:*

13 Section 1. K.S.A. 2-2455 is hereby amended to read as follows: 2-  
14 2455. (a) Each pesticide business shall present to each customer for whom  
15 such business performs a pest control service involving the application of  
16 pesticides a written statement of services or contract setting forth the  
17 following information: (1) Business name and address of the pesticide  
18 business licensee;

19 (2) name and address of the customer;

20 (3) pest or pests to be controlled, which may be stated in general  
21 terms;

22 (4) pesticide to be used including the kind, rate of application, con-  
23 centration and quantity applied ~~[and the amount of chemical applied as~~  
24 ~~specified on the environmental protection agency label on such chemical];~~

25 (5) the date and location of the application of the pesticide;

26 (6) the expiration date of all guarantees, if any be given;

27 (7) the signature of the individual who performed or supervised the  
28 performance of the pest control service or the application of pesticides;

29 (8) the wind direction and velocity, when applicable; and

30 (9) that the application was less than label rate, when applicable.

31 (b) Whenever the service involving the application of pesticides is  
32 performed for the purpose of controlling termites, powder-post beetles,  
33 wood borers, wood-rot fungus or any other wood destroying pest, the  
34 following information shall be included in addition to that required under  
35 subsection (a): (1) The conditions under which retreatments, if any are  
36 to be made;

37 (2) the approximate date or dates of inspections, for any to be made  
38 after the original application of the pesticide; and

39 (3) a diagram of the structure to be treated, showing the location of  
40 visible evidence of active and inactive infestations by any wood destroying  
41 pest or pests for which the treatment is proposed; where a partial or spot  
42 treatment is to be made, this diagram shall also show the area or areas of  
43 the structure which are to be treated.

including the quantity applied and total area to which  
the pesticide is applied;

(5) the concentration or rate of application, when  
applicable;

[renumber remaining sections accordingly]

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1 (c) The required written statement of services or contract for services  
 2 involving the application of pesticides may be incorporated into any busi-  
 3 ness form used by the pesticide business licensee. The written statement  
 4 of services or contract shall be presented to the customer at a time es-  
 5 tablished by rules and regulations promulgated by the secretary or board.  
 6 Any pesticide business licensee using aerial methods of applying pesti-  
 7 cides may present such information at any time prior to the time payment  
 8 is accepted. The pesticide business licensee shall retain a copy of each  
 9 written statement of services or contract in such licensee's files for a  
 10 period of three years from the expiration date of any written statement  
 11 of services or contract. Each pesticide business licensee shall faithfully  
 12 carry out the stipulations set forth in any written statement of services or  
 13 contract prepared by such licensee or any of its representatives.

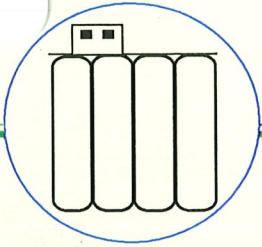
14 (d) Each pesticide business licensee shall make available to the sec-  
 15 retary upon request, a copy of any written statement of services or con-  
 16 tract, records of all pesticide applications during any specified period,  
 17 records of all employees who performed any service involving, or in con-  
 18 junction with, the application of pesticides and any other requested in-  
 19 formation pertinent to the administration of this act or any rule or reg-  
 20 ulation adopted hereunder by the board.

21 (e) The secretary shall require certified commercial applicators who  
 22 are not employed by or otherwise acting for a business licensee to main-  
 23 tain records concerning applications of restricted use pesticides. The sec-  
 24 retary shall specify by rules and regulations the information to be con-  
 25 tained in such records, which shall be maintained for three years from  
 26 the date of application of the pesticide concerned. Such records shall be  
 27 open to inspection by the secretary or the secretary's authorized repre-  
 28 sentative during normal business hours, and copies shall be furnished to  
 29 the secretary or the secretary's authorized representative upon request.

30 Sec. 2. K.S.A. 2-2455 is hereby repealed.

31 Sec. 3. This act shall take effect and be in force from and after its  
 32 publication in the ~~statute book~~

Kansas register



## KANSAS GRAIN AND FEED ASSOCIATION

ITINERARY FOR SENATE/HOUSE AGRICULTURE COMMITTEES  
LEGISLATIVE INFORMATIONAL TOUR  
KANSAS CITY BOARD OF TRADE  
FRIDAY, FEBRUARY 3, 1995

9:00am Load Bus, South Entrance of Statehouse, Topeka

9:15am Depart Statehouse for Kansas City

10:45am Arrive Kansas City Board of Trade Building--will unload and congregate in main entrance lobby, 4800 Main, KC MO

Proceed to KC Bd. of Trade Office, Suite 303

11:00am Briefing with Mike Braude, President KCBOT

12:00noon Lunch at Bolings (in Board of Trade Building)

1:00pm Proceed to Trading Floor of Board of Trade

1:15pm Observe K.C. Board of Trade Closing

1:30pm Congregate in main entrance lobby for departure

1:35pm Depart Kansas City

3:00pm Arrive and unload at South entrance to Statehouse, Topeka

\* \* \* \*

*House Agriculture  
Attachment 5  
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January 1995

# Mulvane



# Coop News

Volume 2 Issue 4

## More Regulation - More Regulation - More Regulation

Farmers will be held accountable for implementing Worker Protection Standards (WPS) after January 1, 1995, according to officials from the EPA. When the rules were issued, the original date for implementation was April 1, 1994. That date was pushed back, since many of the training materials were not readily available.

By September 1, 1994 the EPA had distributed hundreds of thousands of copies of their training manuals and translated them into eight languages.

All pesticide manufacturers were required to revise their labels to include the WPS requirements by April 21, 1994. When a farmer uses a product with the WPS-modified label, he must comply with the stated requirements.

One of the most important provisions of the WPS is providing pesticide safety training for all employees.

The EPA has a voluntary program with the states to issue EPA training verification cards to workers and handlers who receive WPS training. 39 states, including Kansas, are participating in the program. To participate and issue EPA cards, the State Department of Agriculture must enter into an agreement with the EPA. That agreement commits it to use EPA approved training material, keep a roster of those trained, and promptly respond to requests from EPA, states, or agricultural employers for information on issued cards.

The EPA cards are plastic, green for handlers and blue for workers. Each card has an identification number and the name of the person to whom it has been issued.

Possession of the card is proof that the employee has received WPS safety training. However, ag employers will also be responsible for ensuring that each employee is retrained within five years.

The WPS program is fairly flexible

regarding training. You may use videos, flip charts, or slides. If you are using the videos, they usually take about 15 - 20 minutes to watch. With a little time afterwards for questions, thirty minutes should take care of it all.

While the training may be painless, violation of the rules is not. First time, unknowing offenders of minor violations may get off with a warning. However, chronic offenders could be facing fines ranging from \$1,000 to \$25,000 per offense, and incarceration depending on whether the offenders are private or commercial applicators.

Enforcement is handled primarily by the states but they can refer cases to the EPA.

Following are some of the requirements that took effect January 1, 1994:

1. Early entry activities involving contact with treated surfaces will be limited to one hour per day in most cases.
2. Notification to agricultural workers about applications. In most cases, employer can choose oral notification or posting.
3. Protection for crop advisors is required.
4. Pesticide safety training is required for pesticide handlers and agricultural workers.
5. Employers are required to display a safety poster.
6. Employers must have a pesticide application display.
7. Decontamination are sites required.
8. Emergency assistance information must be available.
9. Monitoring of handlers is required.
10. Employer information exchange is required.

As more and more regulations come out regarding pesticide handling, we will try to keep up. If we can't answer your questions, usually the county extension office or the State Board of Agriculture can.

*House Agriculture  
Attachment 6  
1-31-95*