

MINUTES OF THE SENATE COMMITTEE ON AGRICULTURE.

The meeting was called to order by Chairperson David Corbin at 10:00 a.m. on March 27, 1995 in Room 423-S of the Capitol.

All members were present except: Quorum was present.

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

Conferees appearing before the committee:
Gary M. Bothwell, Director, Kansas Grain Inspection Department
Jamie Glover Adams, Kansas Grain and Feed Association
Joe Lieber, Kansas Cooperative Council

Others attending: See attached list

Senator Sallee moved to adopt the minutes of March 15, 16 and 17. Senator Clark seconded the motion. The motion carried.

The confirmation hearing for Gary Bothwell, Director, Kansas State Grain Inspection Department was opened. Chairperson Corbin called on Mr. Bothwell. Mr. Bothwell reviewed his employment experience and qualifications for the position to which he has been appointed. He responded to questions regarding the duties of the Director. Copies of his Senate Confirmation Questionnaire and Statement of Substantial Interests are attached (Attachment 1).

Senator Sallee moved that the confirmation of Gary Bothwell be reported favorable. Senator Morris seconded the motion. The motion carried.

Chairperson Corbin opened the hearing on **SB 380 - concerning grain storage; public warehouse license fees.**

Jamie Clover Adams spoke in support of the bill. To increase the warehouse license fee ceilings gives the Kansas Grain Inspection Department another tool for raising funds to meet the needs of that department. If the bill is passed it does not necessarily mean the fees will increase as other options are being explored by the Department (Attachment 2)

Joe Lieber stated their organization supported the position of the Kansas Grain and Feed Association.

The hearing on **SB 380** was closed. Senator Morris moved to report SB 380 favorable for passage. Senator Sallee seconded the motion. The motion carried.

The meeting adjourned at 10:23 a.m.

No further meetings are planned for the 1995 session.

SENATE AGRICULTURE COMMITTEE GUEST LIST

DATE: 3-27-95

NAME	REPRESENTING
Jamie Clover Adams	KS Grain & Feed Assn
Tom R. Tummel	Kansas Grain & Feed Assn.
Jill Cuempcher	Governor's Office
Sammy Bothwell	S.O.S
Gary M. Bothwell	Grain Insp
Judy Krueger	Governor's Office

SENATE CONFIRMATION QUESTIONNAIRE

Office of Governor Bill Graves

Please complete and return this form to the Governor's Appointments Office. Attach additional sheets if necessary.

Name: Gary M. Bothwell

Home Address: 6336 SW 21st Terr

City, State, Zip: Topeka, KS 66614

Business Address: 8th Floor Jayhawk Towers 7th + Jackson

City, State, Zip: Topeka, KS 66603

Home Phone: 273-0636

Business Phone: 296-3451

Date of Birth: 10-3-31

Place of Birth: Marysville, KS

Party Affiliation: R KBI Check: NA In Process X Complete

Appointed as:

Appointment Date: 1-9-95

Expiration Date: Serves at Pleasure of Governor

Term Length:

Statutory Authority:

Salary: \$44,940.00

Predecessor: Lee Hamm

Statutory Requirements: KSA 75-1701

BACKGROUND

1. List high school, college, or other education institution attended along with the date attended and degree conferred.

Education Institution	Dates	Degree
Marysville High School	1-1947-1950	
United States Armed Forces Institute	GED-Cert	1962

2. List memberships in business, trade and professional organizations for the past 10 years.

Organization	Dates
American Association of Grain Inspection + Weighing Agencies	
Past President	1965 - to present

3. List any public offices you have been elected or appointed to, along with the dates of service.

Office Held	Dates
Acting Director Grain Inspection	1-90 - 4-90

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Attachment 1

4. List any positions held with a foreign, federal or local government entity along with the dates of service.

Position	Government Entity	Dates
<u>0</u>		

5. List any lobbying activities you have been involved in during the past five years. This includes activities as a registered lobbyist or lobbying activities for which you were compensated.

Group	Compensation (yes/no)	Dates
<u>0</u>		

6. List experience or interests which qualify you for the position to which you have been appointed. 36 years employed by this agency
35 years as a supervisor
17 years as an assistant to the director

7. Summarize business and professional experience. managing inspection
office 17 years 17 years assisting manage entire
agency - doing budget, inventory, personell

8. List any service in the United States military. Include dates of service, branch, date and type of discharge.

Branch	Discharge	Dates
<u>Army National Guard</u>	<u>13 years</u>	<u>1949-1962</u>
<u>Active Duty</u>		<u>10-61-8-62</u>

9. Provide details of any arrest, charge or questioning by a federal, state or other law enforcement authority for violation of any federal, state, county or municipal law, regulation or ordinance (excluding traffic violations for which a fine of \$100 or less was imposed).

0

10. List and provide details of any interests that may present a conflict of interest for this position. 0

I, Gary M. Bothwell, declare that this questionnaire is true, correct and complete to the best of my knowledge.

Gary M. Bothwell
Signature

Date

FEB 13 1995
RECEIVED
SECRET



RECEIVED

FEB 13 1995

Kansas Commission
on Governmental
CONDUCT

KANSAS COMMISSION ON GOVERNMENTAL STANDARDS AND CONDUCT

STATEMENT OF SUBSTANTIAL INTERESTS FOR INDIVIDUALS WHOSE

APPOINTMENT TO STATE OFFICE IS SUBJECT TO SENATE CONFIRMATION

INSTRUCTIONS. This statement (pages 1 through 4) must be completed by each person whose appointment to a state position is subject to Senate confirmation (K.S.A. 46-247 and 46-248). Failure to complete and return this statement may result in a fine of \$10 per day for each day it remains unfiled. Also, any individual who intentionally fails to file as required by law, or intentionally files a false statement, is subject to prosecution for a class B misdemeanor.

Please read the "Guide" and "Definition" section provided with this form for additional assistance in completing sections "C" through "G". If you have questions or wish assistance, please contact the Commission office at 109 West 9th, Topeka, KS or call 913-296-4219.

A. IDENTIFICATION: PLEASE TYPE OR PRINT

B o t h w e l l G a r y M.
Last Name First Name MI

B e u e r l y J.
Spouse's Name

6 3 3 6 s w 2 1 s t F e r r .
Number & Street Name, Apartment Number, Rural Route, or P.O. Box Number

T o p e k a K S 6 6 6 1 4
City, State, Zip Code

9 1 3 ** 2 7 3 ** 0 6 3 6
Home Phone Number

9 1 3 ** 2 9 6 ** 3 4 5 1
Business Phone Number

B. APPOINTED POSITION SUBJECT TO SENATE CONFIRMATION:

G r a i n I n s p e c t i o n
List Name of Agency, Commission or Board

D i r e c t o r
Position

* The last four digits of your social security number will aid in identifying you from others with the same name on the computer list. This information is optional.

* [] [] [] []

C. OWNERSHIP INTERESTS: List any corporation, partnership, proprietorship, trust, joint venture and every other business interest, including land used for income in, which either you or your spouse has owned within the preceding 12 months a legal or equitable interest exceeding \$5,000 or 5%, whichever is less. If you or your spouse own more than 5% of a business, you must disclose the percentage held. Please insert additional page if necessary to complete this section.

If you have nothing to report in Section "C", check here ____.

BUSINESS NAME AND ADDRESS	TYPE OF BUSINESS	DESCRIPTION OF INTERESTS HELD	HELD BY WHOM	PERCENT OF OWNERSHIP INTERESTS
1. Roby Mills 218 W. Colorado Ave.	ART Gallery	Shares 2666.66	<input type="checkbox"/> You <input checked="" type="checkbox"/> Spouse <input type="checkbox"/> Jointly	
2. Colorado Springs, Colo 80903			<input type="checkbox"/> You <input type="checkbox"/> Spouse <input type="checkbox"/> Jointly	
3.			<input type="checkbox"/> You <input type="checkbox"/> Spouse <input type="checkbox"/> Jointly	
4.			<input type="checkbox"/> You <input type="checkbox"/> Spouse <input type="checkbox"/> Jointly	
5.			<input type="checkbox"/> You <input type="checkbox"/> Spouse <input type="checkbox"/> Jointly	
6.			<input type="checkbox"/> You <input type="checkbox"/> Spouse <input type="checkbox"/> Jointly	
7.			<input type="checkbox"/> You <input type="checkbox"/> Spouse <input type="checkbox"/> Jointly	

D. GIFTS OR HONORARIA: List any person or business from whom you or your spouse either individually or collectively, have received gifts or honoraria having an aggregate value of \$500 or more in the preceding 12 months.

If you have nothing to report in Section "D", check here X.

NAME OF PERSON OR BUSINESS FROM WHOM GIFT RECEIVED	ADDRESS	RECEIVED BY:
1. N/A		
2.		
3.		

E. RECEIPT OF COMPENSATION: List all places of employment in the last calendar year, and any other businesses from which you or your spouse received \$2,000 or more in compensation (salary, thing of value, or economic benefit conferred on in return for services rendered, or to be rendered), which was reportable as taxable income on your federal income tax returns.

1. YOUR PLACE(S) OF EMPLOYMENT OR OTHER BUSINESS IN THE PRECEDING CALENDAR YEAR. IF SAME AS SECTION "B", CHECK HERE ____.
If you have nothing to report in Section "E"1, check here ____.

	NAME OF BUSINESS	ADDRESS	TYPE OF BUSINESS
1.	Cereal-ingredients	10835 Ambassador Dr	Laboratory
2.		KCMO 64153	

2. SPOUSE'S PLACE(S) OF EMPLOYMENT OR OTHER BUSINESS IN THE PRECEDING CALENDAR YEAR.
If you have nothing to report in Section "E"2, check here ____.

	NAME OF BUSINESS	ADDRESS	TYPE OF BUSINESS
1.	Sally's Apparel	Fleming Place	Dress Shop
2.			

F. OFFICER OR DIRECTOR OF AN ORGANIZATION OR BUSINESS: List any organization or business in which you or your spouse hold a position of officer, director, associate, partner or proprietor at the time of filing, irrespective of the amount of compensation received for holding such position. Please insert additional page if necessary to complete this section. If you have nothing to report in Section "F", check here .

	BUSINESS NAME AND ADDRESS	POSITION HELD	HELD BY WHOM
1.			
2.			
3.			
4.			
5.			

G. **RECEIPT OF FEES AND COMMISSIONS:** List each client or customer who pays fees or commissions to a business or combination of businesses from which fees or commissions you or your spouse received an aggregate of \$2,000 or more in the preceding calendar year. *The phrase "client or customer" relates only to businesses or combination of businesses.* In the case of a partnership, it is the partner's proportionate share of the business, and hence of the fee, which is significant, without regard to expenses of the partnership. An individual who receives a salary as opposed to portions of fees or commissions is generally not required to report under this provision. Please insert additional page if necessary to complete this section.

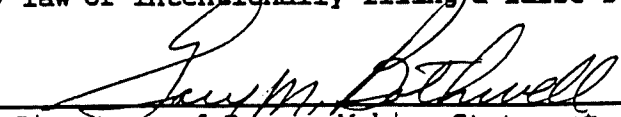
If you have nothing to report in Section "G", check here .

	NAME OF CLIENT / CUSTOMER	ADDRESS	RECEIVED BY
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
13.			

H. **DECLARATION:**

I, Gary M. Bothwell, declare that this statement of substantial interests (including any accompanying pages and statements) has been examined by me and to the best of my knowledge and belief is a true, correct and complete statement of all of my substantial interests and other matters required by law. I understand that the intentional failure to file this statement as required by law or intentionally filing a false statement is a class B misdemeanor.

2/8/95
Date


Signature of Person Making Statement

NUMBER OF ADDITIONAL PAGES _____.

Return your completed statement to the Secretary of State, State House, Topeka, Kansas 66612.

Mr. Chairman and Members of the Committee, I am Jamie Clover Adams here today on behalf of the members of the Kansas Grain and Feed Association (KGFA). KGFA is the trade association for the grain industry in Kansas. Founded in 1896, the 1200 member firms include country elevators -- both independent and cooperative -- subterminal and terminal elevators, feed manufacturers, grain merchandisers and others who serve the industry. We appear today to support S.B. 380 which increases the fee ceilings for warehouse licenses and functional units under the Kansas Grain Warehouse Act (K.S.A. 34-228(f)(1)).

The warehouse license system exists to protect the producer. The Warehouse Division examines local elevators to protect depositors much like bank examiners insure the health of a bank. The only difference is an elevator's currency is grain rather than greenbacks. This oversight insures that the farmer's investment remains safe. Also like the banking system, grain warehouses have the option of a state or federal license.

KGFA requested S.B. 380 to provide the Kansas Grain Inspection Department (KGID) with another tool to meet the requests of both legislative budget committees. As background, for the first time in its 96 year history, the KGID asked for state general funds (SGFs) for its warehouse division for FY 1995. This request was granted. The Governor's budget for FY 1996 contained \$131,000 for the Warehouse program. This amount has been reduced to somewhere between \$90,000 and \$95,000 -- depending on the outcome of the conference committee -- by the Senate Ways & Means and House Appropriations Committees. Further, both subcommittee reports for FY 1996 strongly suggest the Warehouse Division find other means of funding their operations.

The industry and the Department would like to comply with the request of the budget committees while keeping the warehouse system strong. However, one very important option -- increasing warehouse license fees -- is not available because current

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Attachment 2*

fees are at their statutory ceiling. S.B. 380 is introduced at this late date because if fee increases are necessary, the KGID needs an 18 month lead to get the funds into the pipeline.

In short, increasing the warehouse license fee ceilings gives the KGID another avenue to continue the top notch work of the Warehouse Division. Yet increasing the fee ceilings does not necessarily mean fees will be increased. Any fee increase must meet the approval of the State Grain Advisory Commission. Other options for generating income are being explored by the Department. In fact, they intend to discuss the possibility of performing federal inspections with FGIS once Former Congressman Glickman is confirmed as U.S. Secretary of Agriculture. This will generate income for the Department.

We thank the committee for taking the time to consider this issue given the late date of the session. I would be happy to answer any questions you may have.

Memorandum

TO: MEMBERS OF THE SENATE AGRICULTURE COMMITTEE
FROM: LILA MCCLAFLIN^{lm}, COMMITTEE SECRETARY
DATE: April 28, 1995
RE: Approval of minutes.

Please find enclosed the minutes of the April 28 meeting. If there are any additions or corrections, please contact me by 5:00 p.m., on April 28, 1995. Otherwise the minutes will be considered approved as written.

Thanks.