

Approved: 2-4-97
Date

MINUTES OF THE SENATE COMMITTEE ON AGRICULTURE

The meeting was called to order by Chairperson David Corbin at 10:00 a.m. on January 30, 1997 in Room 423-S of the Capitol.

All members were present .

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

Conferees appearing before the committee:
Tom Tunnell, Kansas Fertilizer and Chemical Assn and Kansas Grain and Feed Association
Senator Don Sallee
Doug Wareham, Kansas Grain and Feed Association
Constantine Cotsoradis, Director, Division of Weights and Measures, Kansas Department of Agriculture
Joe Lieber, Kansas Coop Council
Marty Vanier, Kansas Agricultural Alliance

Others attending: See attached list

Chairperson Corbin ask for adoption of the minutes of the January 28 meeting. A motion was made by Senator Biggs to adopt the minutes. The motion was seconded by Senator Clark. Motion carried.

Chairperson Corbin called on Tom Tunnell who requested a bill be introduced to privatize the Grain Inspection division of the Kansas Department of Agriculture. Mr. Tunnell said Kansas is only one of sixteen states with a state inspection department, and since the department is funded by a fee of \$200,000., paid by their association from fees that they collect from their association members, therefore, they believe it should be privatized. Senator Morris moved to accept Mr. Tunnell's request and the bill be introduced. The motion was seconded by Senator Downey. Motion carried.

SB 82: Concerning weights and measures; relating to test weights.

Senator Sallee said in his support of the bill that he had asked for it be introduced because of the difficulty and expense of testing the scales because of their location in the head house of the elevator. Also, because of where they are located they are not subject to dirt and grain that other elevator scales are subject to.

Doug Wareham supported the bill, and he recommend that the bill be amended in line "32 and 33" by striking "500" and inserting "250". That would bring Kansas law into compliance with current United States Department of Agriculture's Weights and Measures Division regulations (Attachment 1)

Constantine Cotsoradis supported the main purpose of the bill. Responding to questions he said they could support the amendment offered by Dour Wareham, and he did not anticipate any decrease in the quality or effectiveness of test weights (Attachment 2).

Joe Lieber supported the bill and also the amendment requested by Doug Wareham (Attachment 3).

Marty Vanier supported the bill, as it would amend the state statutes to make them consistent with federal law. She supported the amendment offered by Mr. Wareham. (Attachment 4)

A fiscal note was distributed indicating the impact would be nominal and would not affect the operations of the agency.

A motion was made by Senator Sallee to adopt the amendment offered by Doug Wareham. Senator Umbarger seconded the motion. Motion carried. Senator Sallee moved the bill be passed as amended and placed on the

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON AGRICULTURE Room 423-S-Statehouse, at 10:00 a.m. on January 30, 1997.

consent calendar. The motion was seconded by Senator Morris. Attention was called to the fact that the rules stipulate that an amended bill can not be placed on the consent calendar. Senator Sallee amended is motion to be passed as amended. That motion was seconded by Senator Morris. Motion carried.

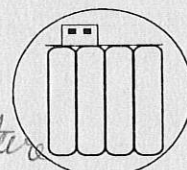
The meeting adjourned at 10:50 a.m.

The next meeting is scheduled for February 3, 1997

STATEMENT OF THE
KANSAS GRAIN & FEED ASSOCIATION
TO THE
SENATE AGRICULTURE COMMITTEE
SENATOR DAVID CORBIN, CHAIR
REGARDING S.B. 82
JANUARY 30, 1997

KGFA, promoting a viable business climate through
sound public policy for a century.

*Senate Agriculture
Attachment 1
1-30-97 A-1*



The Kansas Grain and Feed Association

..... a voluntary state organization founded in 1896 providing governmental representation, educational opportunities and a wide variety of other services to the vast and indispensable grain and feed marketing system. The 1150 members of the KGFA include country elevators, subterminal and terminal elevators, feed manufacturers, grain merchandisers and allied industries such as railroads, grain exchanges, equipment manufacturers and insurance firms.

Mr. Chairman and members of the Committee, I am Doug Wareham, Vice President of Government Affairs for the Kansas Grain and Feed Association (KGFA). We appreciate the opportunity to appear today in support of S.B. 82.

KGFA is a voluntary state organization founded in 1896 to provide government representation, educational opportunities and a wide variety of other services to the vast and indispensable grain and feed marketing system. The 1150 member firms of KGFA include both independent and cooperative country elevators, terminal elevators, feed manufacturers, grain merchandisers and allied industries such as railroads, grain exchanges, equipment manufacturers and insurance firms.

S.B. 82 extends the certification period for test weights, which are housed in grain elevators, from one calendar year to three calendar years preceding their use in performing a scale test. KGFA supports this proposed extension but also supports amending S.B. 82 to include headhouse test weights equal to 250 pounds or greater. Currently, in Kansas there are 45 grain elevators which provide test weights equal to or greater than 250 pounds in nominal weight. While we applaud the intent of S.B. 82, we believe the seven firms in Kansas which provide 250 pound cast iron test weights should also be relieved of the unnecessary burden of annual certification. A copy of a proposed balloon amendment identifying our proposed change from 500 to 250 pounds has been provided for your review.

These test weights, which are enclosed and protected from the environment, are provided as a convenience by grain elevator firms. When test weights are not provided, scale inspectors or elevator personnel are forced to physically take large numbers of 50 to 100 pound test weights up elevator manlifts for the purpose of inspection. Additionally, requiring those elevators who provide test weights to remove those weights annually is expensive and cumbersome. In most cases the only way to remove large test weights of 250 pounds or greater is by contracting the services of a crane company.

Oversight of the actual scale inspections which utilize these test weights is provided by the Kansas Department of Agriculture's Weights and Measures Division and Kansas Grain Inspection Department Personnel. The scales tested with these provided weights are and will continue to be inspected annually as required by K.S.A. 83-304.

In closing I would like to point out that S.B. 82 will bring Kansas Law into line with current United States Department of Agriculture's, Grain Inspection, Packers, Stockyards Administration's standard of three (3) year certification periods for these types of test weights. Thank you for this opportunity to appear in support of S.B. 82. I would be happy to answer any questions you may have.

STATE OF KANSAS



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KANSAS DEPARTMENT OF AGRICULTURE

DIVISION OF WEIGHTS & MEASURES

Constantine Cotsoradis
Director

SENATE BILL NO. 82

Presented to the
Senate Committee on Agriculture

January 30, 1997

SENATE AGRICULTURE COMMITTEE

JANUARY 30, 1997

SB 82

Good morning, my name is Constantine Cotsoradis and I am the director of the Weights and Measures program within the Kansas Department of Agriculture. I appear before you in support of SB 82.

As you have been informed by the Kansas Grain and Feed Association, the main purpose of this bill is to shift from an annual testing requirement of test weights used in head houses to an every three year test of these weights. KDA supports this bill because: 1) the bill would not change any testing standard or method and 2) these test weights are protected from the environment and from wear and tear that other devices are subject to, thus it is highly likely they will hold their tolerance for a period of three years. Because of these reasons, KDA does not anticipate any decrease in the quality or effectiveness of these test weights by allowing these test weights to be tested every three years.

KDA is committed to providing an effective and reasonable weights and measures program to the citizens of Kansas. I believe that this amendment to the current law is reasonable without jeopardizing our effectiveness, and therefore, I ask for your favorable consideration of SB 82.

Thank you for your time and attention. I would be happy to answer any questions you may have about this bill.

Testimony on SB 82
Senate Agricultural Committee
January 30, 1997
Prepared by Joe Lieber
Kansas Cooperative Council

Mr. Chairman and members of the committee, I'm Joe Lieber, Executive Vice President of the Kansas Cooperative Council. The Council has a membership of over 200 cooperative businesses, with nearly 130 of them being grain operators.

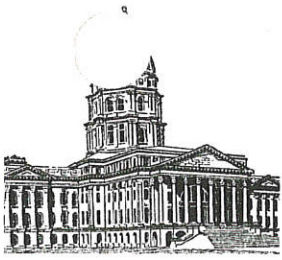
Because of the burden involved in testing these weights, the Council supports SB 82 which requests them to be certified every three years.

The Council would also like to see the bill changed to read 250 pounds or greater (page 1, lines 32,33).

We encourage you to support SB 82.

Thank you.

*Senate Agriculture
Attachment 3
1-30-97*



KANSAS AGRICULTURAL ALLIANCE

**STATEMENT OF THE
KANSAS AGRICULTURAL ALLIANCE
BEFORE THE
SENATE AGRICULTURE COMMITTEE
DAVID CORBIN, CHAIRMAN
REGARDING S.B. 82
JANUARY 30, 1997**

The Kansas Agricultural Alliance (KAA) is a coalition of agribusiness organizations that spans the full spectrum of Kansas agriculture, including crop production, livestock production, horticultural production, suppliers, allied industries and professions.

The Alliance supports S.B. 82. This bill amends the state statute that sets forth the approval of test weights in grain elevators to make the state statute consistent with Federal law concerning approval of test weights.

The members of the Alliance see this change as one that benefits the general public by stretching limited public resources without jeopardizing public or producer confidence. We urge your support for S.B. 82.