

MINUTES OF THE HOUSE COMMITTEE ON AGRICULTURE.

The meeting was called to order by Chairman Dan Johnson at 3:30 p.m. on February 20, 2002, in Room 423-S of the Capitol.

All members were present except: Representative O'Brien - excused
Representative Showalter - excused

Committee staff present: Raney Gilliland, Legislative Research Department
Gordon Self, Revisor of Statutes
Kay Scarlett, Committee Secretary

Conferees appearing before the committee:
Brett Myers, Executive Vice President, Kansas Association of Wheat Growers
Kansas Agricultural Alliance (written only)

Others attending: See attached list

Hearing, discussion and action on HB 2817 - Filing time on harvesting liens.

Chairman Johnson opened the hearing on **HB 2817**. Raney Gilliland explained that **HB 2817** would extend the filing time on agriculture liens filed on statements of harvesting from 15 days to 30 days after completion of services. The bill would also remove the five-day interruption provision from the statute.

As there were no conferees, the Chairman closed the hearing and opened discussion on **HB 2817**. Representative Feuerborn, moved to recommend **HB 2817** favorable for passage, and because the bill is of a noncontroversial nature, be placed on the consent calendar. Seconded by Representative Hutchins, the motion carried.

Hearing, discussion and action on HCR 5037 - Concurrent Resolution urging the federal government to aggressively respond to the spread and eradication of Karnal bunt.

The Chairman opened the hearing on **HCR 5037**. Raney Gilliland explained the resolution introduced at the request of the interim Special Committee on Agriculture.

Brett Myers, Executive Vice President of the Kansas Association of Wheat Growers and President of the Kansas Agricultural Alliance, appeared in support of **HCR 5037** (Attachment 1) and offered a balloon amendment endorsed by numerous farm organizations. (Attachment 2)

The Kansas Agricultural Alliance, representing 22 agricultural associations, offered written support for the amendments to **HCR 5037** presented by Brett Myers. (Attachment 3)

Chairman Johnson closed the hearing and opened discussion on **HCR 5037**.

Representative Faber moved to amended **HCR 5037** as proposed by Mr. Myers, plus any necessary technical corrections, and as the resolution would be substantially changed, rename the resolution **Substitute for HCR 5037**. Seconded by Representative Ostmeyer, the amendment passed.

Representative Larkin moved to recommend **HCR 5037**, as amended in the form of a substitute resolution, favorable for adoption. The motion was seconded by Representative Faber. The motion carried.

The meeting adjourned at 4:10 p.m. The next meeting is scheduled for February 25, 2002.

HOUSE AGRICULTURE COMMITTEE

**RE: HCR 5037 – A concurrent resolution regarding
Karnal bunt.**

**February 20, 2002
Topeka, Kansas**

**Presented by: Brett Myers
Executive Vice President
Kansas Association of Wheat Growers**

Chairman Johnson and members of the House Agriculture Committee, thank you for the opportunity to appear on behalf of several organizations regarding HCR 5037. I am Brett Myers, Executive Vice President of the Kansas Association of Wheat Growers and President of the Kansas Agricultural Alliance. My comments represent the Kansas Association of Wheat Growers, Kansas Grain and Feed Association, Kansas Agricultural Retailers Association, Kansas Farm Bureau, Kansas Seed Industry Association and Kansas Crop Improvement Association. Additionally, we wish to acknowledge the contributions of the Kansas Wheat Commission.

We commend the House Agriculture Committee for addressing Karnal bunt, a wheat fungal disease that has the potential to devastate markets for the wheat production industry. Karnal bunt poses no health risk to humans and animals, and causes minimal yield loss. However, nearly 80 countries require additional declarations to ensure that they are procuring wheat from areas free of Karnal bunt. Therefore, it is imperative that we as Kansas wheat producers, elevators and seed professionals be diligent in our efforts to prevent the spread of Karnal bunt. Our comments today are specific to the amendment that we collectively ask the committee to consider.

With the discovery of Karnal bunt in North Texas, closer to the wheat belt of the United States, Kansas wheat producers and allied industry partners recognized that this disease was one

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Attachment 1

against which precautions should be taken to limit the risk of exposure. As long as Karnal bunt is a regulated plant pest with no tolerance threshold in the marketplace, it is important that Kansas producers and the state regulatory community work in concert to reduce the probability of an infestation in our state. However, we recognize that a call to action is necessary to engage regulators and trade officials within the United States Department of Agriculture. HCR 5037, with suggested amendments, provides proper direction for national policy regarding Karnal bunt. Protection of markets is of the utmost importance. The amended HCR 5037 reflects such a market orientation.

Our organizations support working toward acceptance of Karnal bunt as a minor plant pest/disease in the grain trade and regulatory community in the short-term, with a long-term goal of deregulating Karnal bunt once tolerance levels are determined among trading partners. It is important that acceptance be sought *prior* to deregulation to ensure that American wheat continues to move through marketing channels.

In the interim, known areas of Karnal bunt infestation should be contained, and USDA and state departments of agriculture should work collaboratively to prevent infestation in Kb-free areas as long as Karnal bunt is a quarantine pest.

USDA should maintain equitable compensation for producers and grain trade partners for initial infestation to mitigate any immediate economic distress. HCR 5037 addresses compensation for "those involved in the grain industry who unknowingly come into contact with Karnal bunt." We respectfully offer in our amendment that HCR 5037 refer to the grain production industry to ensure that producers and elevators are captured in a compensation mix until the scientific and regulatory communities satisfactorily develop a host denial strategy.

HCR 5037 asks that USDA prevent the planting and growing of wheat or other host crops in quarantine areas to break the cycle of infection. The disease cycle may be broken without prohibition of planting. Wheat or triticale that is grazed and not taken through grain production would not complete the disease cycle.

Thank you.

House Concurrent Resolution No. 5037

By Special Committee on Agriculture

1-22

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Attachment 2

9 A CONCURRENT RESOLUTION urging the [federal] government to
10 aggressively respond to the spread [and eradication] of Karnal bunt in
11 the United States.

United States

12
13 WHEREAS, Kansas is the nation's top wheat producing state; and
14 WHEREAS, As such, the wheat crop is of top concern to the Kansas
15 legislature; and

that require an additional declaration for

16 WHEREAS, The [federal] government needs to continue the national
17 voluntary survey to maintain exports to countries [with quarantines against]
18 Karnal bunt; and

production

19 WHEREAS, The United States Department of Agriculture needs to
20 develop an adequate compensation package for those involved in the grain
21 industry who unknowingly come into contact with Karnal bunt. Without
22 clear assurance of adequate compensation, it is questionable whether the
23 decentralized system of reporting Karnal bunt contamination—reporting
24 that is essential to early detection and containment of the disease—will
25 operate reliably; and

and encourage the use of best management
practices

26 WHEREAS, The United States Department of Agriculture needs to
27 ensure that Karnal bunt-contaminated wheat is not allowed into the ex-
28 port market system so our ability to export wheat is not jeopardized; and

disease

29 WHEREAS, The United States Department of Agriculture needs [not
30 only] to take steps to ensure that Karnal bunt does not spread beyond the
31 [8,000] acres now affected [but also to take steps to eradicate Karnal bunt
32 on this acreage. Eradication from the United States, not merely contain-
33 ment, should be the objective of our federal policy]; and

and make control of the disease the short term

34 WHEREAS, [The United States Department of Agriculture needs to
35 take the necessary actions to prevent the planting and growing of wheat
36 or any other susceptible plant on any land that has been quarantined due
37 to the presence of Karnal bunt.] The United States Department of Agri-
38 culture needs to act vigorously to break the cycle [of infection on the
39 relatively small number of infected acres and to make eradication of this
disease the] objective of federal policy; and

in cooperation with the United States grain
production industry

40
41 WHEREAS, The United States Department of Agriculture should in-
42 vigorate its dialogue with our trading partners in pursuit of [the acceptance
43 of a tolerance level for Karnal bunt] and should begin the process of de-

a long-term goal of deregulation while
maintaining the export and domestic markets

2-2

1 claring Karnal bunt a quality issue; and
 2 WHEREAS, The United States Department of Agriculture needs to
 3 [request more money] for Karnal bunt research and [for the construction
 4 and operation of research facilities] and

provide adequate funding

5 WHEREAS, The United States Department of Agriculture needs to
 6 [appoint a person who is familiar with trade issues to lead] the United
 7 States' response to the spread of Karnal bunt: Now, therefore,

accomplish the goals set forth in this concurrent resolution

8 *Be it resolved by the House of Representatives of the State of Kansas,*
 9 *the Senate concurring therein:* That the federal government aggressively
 10 respond to the spread [and eradication] of Karnal bunt in the United States;
 11 and

provide leadership in conjunction with the grain production industry to facilitate

12 *Be it further resolved:* That the Secretary of State be directed to send
 13 enrolled copies of this resolution to President George W. Bush, members
 14 of the Kansas Congressional delegation, the Chairperson and ranking mi-
 15 nority member of the United States Senate and House of Representatives
 16 Agriculture Committees, and the United States Secretary of Agriculture.

, maintain export markets and provide leadership

trade issues and

Kansas Agricultural Alliance

Kansas Agribusiness Retailers Association

Kansas Agri-Women

Kansas Association of Conservation Districts

Kansas Cooperative Council

Kansas Crop Consultant Association

Kansas Electric Cooperatives

Kansas Farm Bureau

Kansas Grain Sorghum Producers Association

Kansas Livestock Association

Kansas Seed Industry Association

Kansas Veterinary Medical Association

Kansas Agricultural Aviation Association

Kansas Association of Ag Educators

Kansas Association of Wheat Growers

Kansas Corn Growers Association

Kansas Dairy Association

Kansas Ethanol Association

Kansas Grain and Feed Association

Kansas Nursery & Landscape Association

Kansas Pork Association

Kansas Soybean Association

Western Retail Implement and Hardware Association

February 20, 2002

Representative Dan Johnson
Chairman of the House Agriculture Committee
426-S, Statehouse
Topeka, KS 66612

Dear Chairman Johnson and members of the House Agriculture Committee,

The Kansas Agricultural Alliance, representing the 22 above-named agricultural associations, would like to offer support for the amendments to HCR 5037 presented by Brett Myers.

Kansas Ag Alliance members have voted unanimously to endorse and support this legislation.

Thank you for considering our support of this bill in your deliberations.

Sincerely,



Brett Myers
KAA President

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Attachment 3