

MINUTES OF THE SENATE AGRICULTURE COMMITTEE.

The meeting was called to order by Chairperson Derek Schmidt at 8:35 a.m. on March 19, 2003 in Room 423-S of the Capitol.

All members were present.

Committee staff present: Raney Gilliland, Legislative Research  
Lisa Montgomery, Revisor of Statutes  
Mona Gambone, Committee Secretary

Conferees appearing before the committee:

Others attending:

Chairman Schmidt announced that the Committee would work and amend **HB 2038**.

Chairman Schmidt presented his package of amendments:

on page 3, line 18: strike "15%" and insert "10%";

on page 3, line 32: strike "issue notice of meetings" and replace with "subject to open meetings act", including advisory committees;

on page 4, lines 36 and 37: as paragraphs b and c are the same, strike paragraph c

Chairman Schmidt moved the adoption of the above amendments; Senator Umbarger seconded the motion, the motion carried.

Chairman Schmidt then proposed another amendment: on page 5, Sec. 5, line 29, striking the exception. He asked what the Committee desired. Senator Downey asked if this restricted lobbying. Senator Tyson said that it doesn't limit enough and could be used as a propane marketing tool, and could put regulations on propane. Chairman Schmidt asked if there were any proponents to this amendment. Justin Holstin, Propane Marketers Association of Kansas, said the Council is not using funds for promotion, but only for safety and education; not for equipment and not to support one energy source or another. Chairman Schmidt moved striking the "except" phrase. Senator Huelskamp said that if it is not intended for lobbying, he had no problem with striking the phrase. Senator Taddiken suggested striking the "except that..." phrase and inserting a new sentence beginning "The" and including the rest of the sentence. Chairman Schmidt asked if they could strike the "except" phrase and insert it in line 7.

Senator Tyson, referring to page 3, section (i), said that he had some dealers who don't want this. Senator Downey suggested changing "including but not limited to" to "focusing on". Chairman Schmidt asked staff members Gilliland and Montgomery to develop such language.

Senator Umbarger said that this language describes the intent of the bill, not allowing too much power, but establishing the main objectives as safety and education of propane users. Senator Downey moved that we strike "but not limited to" in lines 37 and 38; Senator Umbarger seconded the motion; the motion carried.

Senator Huelskamp moved language be developed prohibiting the use of funds to purchase regulators, or replacement equipment and that the funds be used only for safety and education; Senator Umbarger seconded the motion; the motion carried.

Chairman Schmidt moved inserting language at the end of the bill, "The report provided in 2004 shall include a review of propane safety policies, statutes, rules and regulations in Kansas and adjoining states and shall include recommendations the council deems appropriate for policy, statutory or regulatory changes in Kansas to improve propane safety. Senator Umbarger seconded the motion; the motion carried.

CONTINUATION SHEET

MINUTES OF THE SENATE AGRICULTURE COMMITTEE at 8:35 a.m. on March 19, 2003 in Room 423-S of the Capitol.

Chairman Schmidt moved amending page 5, section 5 by inserting "except as provided in Sec. # (j); Senator Umbarger seconded the motion; the motion carried.

Chairman Schmidt questioned why on page 5, subsection (g), allowing the industry to end the program; Senator Corbin agreed. Senator Corbin moved that we strike subsection (g); Senator Morris seconded the motion; the motion carried.

Chairman Schmidt asked if the Committee thought the assessment amount is proper or do they want to amend that rate. Senator Downey said the Committee has done a lot to this bill and should not make any further changes in it.

Senator Lee moved that the Committee report **HB 2038** favorably for passage, as amended; Senator Umbarger seconded the motion, the motion carried.

Chairman Schmidt announced the Committee will meet again if he receives the paperwork from the Administration concerning the appointment of the new Secretary of the Department of Agriculture.

There being no further business, the meeting was adjourned.

# SENATE AGRICULTURE COMMITTEE GUEST LIST

DATE: March 19, 2003

| NAME           | REPRESENTING                      |
|----------------|-----------------------------------|
| Don Smith      | Propane Marketers Assn. of Kansas |
| Deane Gruner   | KS Coop Council                   |
| Dag Warehan    | KARA / KGFA                       |
| Tom Tennell    | KARA / KGFA                       |
| Justin Holstin | Propane Marketers Assn            |
| Chris Wilson   | KDA                               |
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