

MINUTES OF THE SENATE AGRICULTURE COMMITTEE

The meeting was called to order by Chairman Derek Schmidt at 8:30 a.m. on January 27, 2004 in Room 423-S of the Capitol.

All members were present.

Committee staff present:

Amy VanHouse, Legislative Research
Lisa Montgomery, Office of the Revisor of Statutes
Robert Myers, Committee Secretary

Conferees appearing before the committee:

Patty Clark - Director, Kansas Department of Commerce Ag Marketing Division
Greg Foley - Assistant Secretary of Agriculture, Kansas Department of Agriculture
Bill Scott - Kansas Department of Agriculture Plant Protection & Weed Control Program
Scott Carlson - Assistant Director, Kansas Conservation Commission
Todd Johnson - Kansas Livestock Association Governmental Affairs Staff

Others attending:

See Attached List.

Chairman Schmidt announced the possibility of a joint meeting between the Senate Commerce and Senate Agriculture Committees at which Senator Sam Brownback would be present to give a briefing on his Homestead Act efforts. He stated the possible time for this meeting as being during the morning of Monday, February 2, 2004.

Chairman Schmidt announced that efforts were being made with regard to setting up two meetings for the Senate Agriculture Subcommittee on Food Safety.

Chairman Schmidt asked the committee to consider the introduction of a bill regarding wineries in Kansas. The proposed bill would rectify shortcomings with regard to wineries being able to donate their product to local charitable events, as well as being able to serve samples of their product.

Chairman Schmidt moved to introduce the winery bill as requested, seconded by Senator Downey. The motion carried.

Chairman Schmidt asked the committee to consider the introduction of a technical corrections bill, regarding the statutes which were affected upon the dissolution of the Board of Agriculture in 1995. The proposed bill would amend these statutes in order to allow a better understanding of the state of the law.

Senator Downey moved to introduce the technical corrections bill as requested, seconded by Senator Tyson. The motion carried.

Senator Huelskamp asked the committee to consider the introduction of a bill regarding dually-inspected kennels within Kansas. This bill would eliminate dual inspection of USDA-inspected kennels.

Senator Huelskamp moved to introduce the kennel bill as requested, seconded by Senator Corbin. The motion carried.

Patty Clark appeared before the committee in order to give an annual report on the Ag Marketing Division of the Department of Commerce. She presented to the committee packets containing background information, including the following: a new publication regarding available assistance; her written testimony for the committee meeting; a list of projects funded thus far in 2004; an excerpt from the Department of Commerce Annual Report; a written review of statutory obligations; the mission statement and initiative of the Land of Kansas Trademark Program; a recent news release, providing evidence of the company interaction of the Department of Commerce; an outline of the Kansas Ag Innovation Center; a synopsis of Kansas Ethanol Plants; and finally, information on the Senior Farmers' Market Nutrition Program (Attachment 1).

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Patty Clark showed support for Chairman Schmidt's motion to introduce a winery bill, as previously mentioned. She spoke of the competitive disadvantage faced by Kansas wineries due to their inability to ship their product both interstate and intrastate. She offered the aid of the Department of Commerce in facilitating the creation of the bill.

Patty Clark elaborated on the Kansas Ag Innovation Center, describing its purpose as providing business development assistance to existing companies as well as start-up companies. This assistance regards feasibility studies, business plans, marketing studies, interjection of management review, and making sure that boards of directors understand their fiduciary and management responsibilities.

Patty Clark brought to the attention of the committee the beginning efforts of the Department of Commerce in adding tourism initiative in cooperation with the Travel and Tourism Division.

Greg Foley appeared before the committee as a proponent for **SB 353**. His testimony focused mainly on the current status of sericea lespedeza in Kansas counties. He expressed, on behalf of the KDA, the belief that the law (i.e., K.S.A. 2-1315, regarding noxious weeds) has enhanced communication and planning for the control of this weed at the county level. He further indicated that these perceived improvements, as well as the discovery of new infestations of the weed, make the removal of the law's July 1, 2005 sunset date a prudent move. His specific recommendation with regard to an amendment of the law was that the sunset be extended beyond the year 2007, in order to allow an adequate period for comparison of treatment methods (Attachment 2).

Bill Scott appeared before the committee due to the request of Senator Umbarger for a report on the treatments for sericea lespedeza. According to him, the findings of his program are that the correct treatment for sericea lespedeza must be performed approximately every third year in order to control the weed. He mentioned the role of Kansas State University, in cooperation with chemical companies, in researching new integrative methods of weed control. He further spoke of a sericea lespedeza working group in which county, state, federal, and private landowners from multiple states are all working together to further deal with the problem of sericea lespedeza.

Scott Carlson appeared before the committee due to a question posed by Senator Downey regarding the communication of priorities between the county and state Conservation Commissions. He reported that the Conservation Commission does prioritize its funding, giving the examples of water quality and water conservation. He also stated that the base allocation that is given to each conservation district, that which would be used to fund the application of sericea lespedeza treatments, is used at local discretion.

Scott Carlson responded to a question posed by Chairman Schmidt regarding what approaches have been taken by the various counties under the Plant Protection and Weed Control Program. He reported that three counties, out of the fourteen total that have been declared sericea lespedeza disaster areas, have funded applications to control it: Greenwood, Lynn, and Chautauqua. In total, these three counties funded twenty-five contracts for a total amount of \$6,735.00, a fee consisting of both chemical and application costs. He further reported that on average the treatment cost ranges from \$17.00 per acre to \$21.00 per acre.

Senator Downey suggested that the committee take a look at the Kansas Conservation Commission's data regarding the type of projects that county conservation commissions spend their money on. She explained that this would allow an observation of whether or not Kansas counties are choosing to invest in projects that are in alignment with what are seen as priorities by the committee.

Scott Carlson responded to Senator Downey by saying that the Conservation Commission's Annual Reports would be available by the following week.

Chairman Schmidt recommended to Greg Foley that the 2007 sunset mentioned on the second page of his testimony be removed from the bill along with the July 1, 2005 sunset date.

Greg Foley agreed to remove the second sunset as recommended.

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Todd Johnson appeared before the committee, on behalf of the KLA, as a proponent for **SB 353**. He expressed support for the elimination of both the 2005 and the 2007 sunsets in K.S.A. 2-1315. He also submitted written testimony to the committee, regarding the support of his department for the bill (Attachment 3).

Greg Foley appeared once again before the committee, as a proponent for **SB 352**. He submitted written testimony from which the majority of his spoken testimony was directly drawn (Attachment 4). In addition to this information, he stated that within the last few years there have been about six cases in which incorrect procedures have been used to install weighing and measuring devices and have thus resulted in customers having to pay another licensed service company to correct their scales. He further stated that there are approximately 150 licensed service companies currently in Kansas.

The next meeting is scheduled for Wednesday, January 28, 2004.