

MINUTES OF THE HOUSE COMMITTEE ON AGRICULTURE.

The meeting was called to order by Chairman Dan Johnson at 3:30 p.m. on January 31, 2001, in Room 423-S of the Capitol.

All members were present except: Representative Faber - excused
Representative Flora - excused

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

Conferees appearing before the committee:
Jamie Clover Adams, Secretary, Kansas Department of Agriculture
Greg Foley, Assistant Secretary, Kansas Department of Agriculture

Others attending: See attached list

Copies of the Kansas Dairy Marketing Advisory Board's 2001 Annual Report to the House and Senate Agriculture Committees were distributed. (Attachment 1)

Representative Showalter requested introduction of a committee bill to protect agricultural landowners from liability when individuals come onto their property and steal anhydrous ammonia. As there were no objections, a committee bill will be introduced.

Representative Thimesch requested introduction of two committee bills. His first proposal would establish the Agricultural Opportunities in Value Added Partnership Act, similar to legislation passed in Nebraska last year. His second request would create a position of judge or arbitrator to settle disputes between state inspectors and small meat processing plant owners. As there were no objections, these two committee bills will be introduced.

Hearing on HB 2101 - Creating the plant pest emergency response fund.

Chairman Johnson opened the hearing on **HB 2101**. Raney Gilliland, Legislative Research Department, explained that this bill would establish a Plant Pest Emergency Response Fund within the Kansas Department of Agriculture to be used in an emergency to mitigate pests entering the state. Revenue in the fund would be generated from a \$5.00 annual fee collected from nursery dealers and nursery certificate holders.

Jamie Clover Adams, Secretary, Kansas Department of Revenue, testified that establishing a Plant Pest Emergency Response Fund as outlined in **HB 2101** would allow the Department to more effectively fulfill its responsibility to protect the state's natural and cultivated resources from plant pests by providing the capability to rapidly respond to the introduction of harmful plant pests -- including insects, plant disease, and weeds. She noted that the movement of nursery stock shipped in commerce is one of the highest risk pathways of new pest introduction into the state. She reported that currently these issues are addressed on an ad hoc basis depending on savings and year-end fund availability, as well as participation in the Interstate Pest Control Compact. The Department estimates that passage of this proposal would generate an additional \$7,000 in annual revenue. (Attachment 2).

There being no other conferees, the Chairman closed the hearing on **HB 2101**.

CONTINUATION SHEET

Hearing on HB 2102 - Unlawful acts and annual testing requirements involving weighing and measuring devices.

Chairman Johnson opened the hearing on **HB 2102** that would amend the Weights and Measures Act. Raney Gilliland explained that this bill would exempt stationary volumetric provers, which are used to calibrate large petroleum gas meters, from the mandatory annual testing and inspection requirement for weighting and measuring devices. The bill would also remove the annual requirement for the inspection and testing of a dispensing device. These devices primarily include automotive gas pumps. Under current law, all volumetric provers and dispensing devices in commercial use are to be tested and inspected annually.

Greg Foley, Assistant Secretary, Kansas Department of Agriculture, appeared in support of **HB 2102** and outlined four changes in the Weights and Measures Act the Department believes would allow for more efficient, effective administration of the program:

- 1) Standardize repair time for all measuring devices;
- 2) Provide necessary statutory authority for the program to effectively implement the law;
- 3) Exempt from annual testing by the state metrology laboratory volumetric provers which have a capacity that exceeds that of the state metrology laboratory or a design that prohibits testing; and
- 4) Remove the requirement for inspection of gas pumps every 12 calendar months.

Mr. Foley indicated that these changes would have no fiscal impact on the regulated industry or the Kansas Department of Agriculture. (Attachment 3)

As there were no other conferees, the Chairman closed the hearing on **HB 2102**.

The meeting adjourned at 4:52 p.m. The next meeting is scheduled for February 5, 2001.