

MINUTES OF THE SENATE AGRICULTURE COMMITTEE.

The meeting was called to order by Chairperson Derek Schmidt at 8:30 a.m. on March 20, 2002 in Room 423-S of the Capitol.

All members were present except:

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

Conferees appearing before the committee:

Judy Moler, Kansas Association of Counties
Doug Wareham, Kansas Agribusiness Retailers Association
Joe Lieber, Kansas Cooperative Council
Chris Wilson, Executive Director, Kansas Agricultural Aviation Association
Leslie Kaufman, Associate Director, Public Policy Division, Kansas Farm Bureau
Mike Beam, Kansas Livestock Association

Others attending: See attached list

SB 607 - Limiting liability of property owners to persons entering premises for agritourism and ecotourism puposes

Senator Schmidt moved, seconded by Senator Morris, that SB 607 be amended on Line 30, by striking the word "and", Line 31, strike the word "recreational" and insert "viewing or enjoying", and further following the word "farming" strike the word "and" and insert in lieu thereof the word "or"; Line 32 by striking "provided as agritourism activities". The voice vote was in favor of the motion.

Senator Morris moved, seconded by Senator Downey, that SB 607 be further amended by inserting the language contained on "Attachment 1". The voice vote was in favor of the motion.

Senator Morris moved, seconded by Senator Corbin, that SB 607 be recommended favorably for passage as amended. The voice vote was in favor of the motion.

HB 2602 - County discount program to control noxious weeds

Judy Moler, presented testimony on behalf of Randy Allen, Executive Director, Kansas Association of Counties (KAC) support of **HB 2602**, stating the proposed legislation reverses the current provision in which boards of county commissioners can "opt-in" to the cost share certificate for chemicals program, to a new provision that requires boards of county commissioners to establish such a program. The proposed change allows counties to "opt-out" or eliminate the program by a protest petition of voters. KAC believes that **HB 2602** is workable and provides an opportunity for noxious weed directors, county commissioners, and chemical dealers to work together to the benefit of landowners. (Attachment 2)

Doug Wareham, Executive Director, Kansas Agribusiness Retailers Association (KARA), testified in support of **HB 2602**, stating KARA supports the existence of sound, credible and enforceable laws to control noxious weeds in Kansas and believe the county weed departments play a significant roll in battling noxious weeds. Mr. Wareham stated that the Noxious Weed Law has been in existence since 1989, and there are only 7 counties who have established the cost share certificate for chemicals program. KARA would prefer a Noxious Weed Law that provides landowners with the ability to utilize the option to receive financial assistance for chemical purchases, whether they choose to purchase product from a county weed department or from a private retail dealer. **HB 2602** is a step in the right direction, although it does not completely satisfy KARA concerns. (Attachment 3)

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Joe Lieber, President, Kansas Cooperative Council, testified in support of **HB 2602**, stating the Kansas Cooperative Council and the Kansas Agribusiness Retailers Association have for years tried to get legislation passed that would provide chemicals to use for control and eradication of noxious weeds to landowners through chemical dealers on a discount basis. There are a few counties that have the cost-share certificate programs that are successful. The Cooperative Council hopes that all counties have the opportunity to participate in a cost-share certificate program; hence, our support of **HB 2602**. (Attachment 4)

Chris Wilson, Executive Director, Kansas Agricultural Aviation Association (KAAA), testified in support of **HB 2602**, stating this legislation gives landowners and managers the ability to purchase chemicals from local retailers or applicators and still benefit from the county cost-share on chemicals used in the treatment of noxious weeds. This legislation is the minimum of what needs to be done in modernizing the Kansas noxious weed law. Presently, the private sector pays taxes to the county, and the county uses those taxes to support a business in direct competition with the private business, On a level where the county has a monopoly and private business can't compete. **HB 2602** provides an option to allow landowners the choice of where to buy chemicals. (Attachment 5)

Mike Beam, Kansas Livestock Association, submitted written testimony in support of the passage of **HB 2602**. (Attachment 6)

Leslie Kaufman, Associate Director, Public Policy Division, Kansas Farm Bureau, submitted written testimony in support of the passage of **HB 2602**. (Attachment 7)

There being no additional conferees, the Hearing was closed.

The meeting adjourned at 9:30 a.m.

The next meeting is scheduled for March 26, 2002.