

MINUTES OF THE SENATE AGRICULTURE COMMITTEE

The meeting was called to order by Chairman Mark Taddiken at 8:30 a.m. on February 18, 2009 in Room 446-N of the Capitol.

All members were present.

Committee staff present:

Raney Gilliland, Kansas Legislative Research Department
Corey Carnahan, Kansas Legislative Research Department
Jason Thompson, Revisor of Statutes Office
Judy Seitz, Committee Assistant

Conferees appearing before the Committee:

Mark Hassman, General Manager, Hassman Termite and Pest Control, on behalf of the Kansas Pest Control Association
Lindsey Douglas, Environmental Policy Specialist, Kansas Department of Agriculture (KDA)
Mark Lytle, Golf Course Superintendent, Salina Municipal Golf Course, on behalf of the Kansas Golf Course Superintendents Association
Ron Seeber, Vice President of Government Affairs, Kansas Agribusiness Retailers Association (KARA)
Leslie Kaufman, Executive Director, Kansas Cooperative Council (KCC)

Others attending:

See attached list.

Vice Chairman Ostmeyer introduced Gunnar Hayes; a student from his district, who is "shadowing" him today.

Chairman Taddiken opened the hearing on **SB 256** - Creating the pesticide safety education fee fund. The Chairman noted the Committee received copies of the fiscal note for **SB 256**.

Mark Hassman, General Manager, Hassman Termite and Pest Control, spoke as a representative of the Kansas Pest Control Association in support of **SB 256** (Attachment 1). He said this bill addresses a huge budgetary shortfall for the Pesticide Safety Education Program (PSEP) in Kansas. He said the PSEP program is mandated by statute and gives primary responsibility for pesticide safety education to the Kansas State University Cooperative Extension Service. He also stated the shortfall is a result of changes in Federal EPA Pass-Thru funding and the conversion of the United States Department of Agriculture (USDA) Integrated Pest Management (IPM), Pass-Thru dollars to competitive and more restricted funding. Mr. Hassman gave a brief synopsis of the background of the program, its duties, the needs and where the shortfalls lie, and explained how **SB 256** would be a solution. He testified that this bill would properly fund the program and allow the program to meet all obligations. He said **SB 256** proposes a budget that would properly fund the program to allow the program to meet all its obligations. This bill proposes an additional fee of \$20.00 per commercial certificate applicant for a three-year re-certification.

Mr. Hassman offered to stand for questions.

Lindsey Douglas, Environmental Policy Specialist, Kansas Department of Agriculture (KDA), appeared in support of **SB 256** (Attachment 2). She stated that the PSEP is important to pesticide applicators. **SB 256** was proposed by the Kansas Pest Control Association and the Kansas Golf Course Superintendents Association to ensure that Kansas State University can continue to operate the PSEP.

Ms. Douglas offered to stand for questions.

Mark Lytle, Golf Course Superintendent, Salina Municipal Golf Course, on behalf of the Kansas Golf Course Superintendents Association (Attachment 3) spoke in favor of **SB 256**. Mr. Lytle said his association has concerns that the private applicators may not be shouldering their share of the costs of the safety and certification program. He stated another concern that a PSEP is mandated by state statute but this program receives little funding support from the governing body that requires the program to exist.

CONTINUATION SHEET

Minutes of the Senate Agriculture Committee at 8:30 a.m. on February 18, 2009 in Room 446-N of the Capitol.

Mr. Lytle offered to take questions.

Ron Seeber, Vice President of Government Affairs, Kansas Agribusiness Retailers Association (KARA) (Attachment 4) appeared in opposition to **SB 231**. He said KARA believes it is important to review how the money for the PSEP is administered and if there are other sources of information or how important is the need for this program when there are duplicate programs in place. KARA's key opposition to the bill is in the funding mechanism which singles out commercial pesticide applicators as the sole source of funding for the program, yet allows private applicators a free ride.

Mr. Seeber took questions from the Committee.

Leslie Kaufman, Executive Director, Kansas Cooperative Council (KCC), presented testimony in opposition to **SB 256** (Attachment 5). She stated the KCC cannot support a fee structure for the pesticide safety and education fund which implements a new charge solely on "commercial applicators" and not on "private applicators," as well.

Ms. Kaufman answered questions from the Committee.

Ms. Douglas took questions.

Constantine Cotsoradis, Deputy Secretary, KDA, answered questions regarding updating manuals.

Thomas Phillips, Head of the Entomology Department, Kansas State University, Interim Coordinator for Pesticide Safety Education Program, answered questions from the Committee regarding funding for the PSEP.

Mr. Hassman took further questions.

Hal Hudson, Executive Director, Kansas Pest Control Association, stated that the training for the commercial applicants is up-to-date.

Chairman Taddiken asked if Brad Harrelson, Kansas Farm Bureau, would like to comment on **SB 256**. He said that if the Committee works the bill and includes fees applied to private applicants; the KFB would probably raise concerns.

Mike Hutfles, Mid-American Green Industry Council, provided written testimony in opposition to **SB 256**. (Attachment 6)

The hearing on **SB 256** was closed.

Senator Francisco made a motion to change the language in line 30 and 34 to state the fee amount would be set at \$20.00, seconded by Senator Lee. Motion carried.

Senator Lee moved to change the statute number in line 27 and 28 to K.S.A. 2-2443a, and make all sections part of the pesticide law, seconded by Senator Barnett. Motion carried.

No action was taken on **SB 256**.

The next meeting is scheduled for February 24, 2009.

The meeting was adjourned at 9:30 a.m.