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Date: January 19, 2022
To: Representative John Barker, Chairman, House Federal and State Affairs Committee
From: Shahira Stafford, Kansas Cooperative Council
RE: Neutral Testimony on Senate Bill 181

Mr. Chairman and Members of the Committee,

On behalf of the Kansas Cooperative Council (KCC), thank you for the opportunity to provide neutral testimony on Senate Bill 181. The KCC is a statewide association that works on behalf of all types of cooperatively structured businesses in Kansas. The industries organized as cooperatives are vast, including agriculture, utility, financial and insurance.

While all cooperatives must adhere to rigorous state and federal guidelines, our grain warehouses in particular are heavily regulated by the Occupational Safety and Health Administration (OSHA) through an approved Local Emphasis Programs (LEP). In Kansas, OSHA conducts hundreds of programmed and random inspections on our grain elevators. These are comprehensive compliance inspections to assure cooperative grain elevators are complying with OSHA safety standards. In addition, our members are inspected annually by the Kansas Department of Agriculture.

For this reason, the KCC does not support an additional layer of state regulation as has been proposed in previous elevator safety act legislation. However, SB 181 as written includes a specific exemption for the grain warehouse industry, defined as:

“lift, manlift, belt manlift, special purpose personnel elevator, automated people mover or similar device in grain elevators, grain warehouses, seed processing facilities, grain processing facilities, biofuel processing facilities, feed mills, flour mills or any similar pet food, feed or agricultural commodity processing facilities.”

The KCC’s neutral position on SB 181 is dependent upon the above language. Agricultural cooperatives handle millions of bushels of grain each year and are integral in the production agriculture chain. We recognize our direct impact on the safety and health of the communities that we serve; and our members take that responsibility seriously every day.

Thank you for the opportunity to comment today on SB 181. We respectfully request that the commercial grain warehouse industry stays exempted from all provisions of this act.