

MINUTES OF THE HOUSE COMMITTEE ON AGRICULTURE.

The meeting was called to order by Chairman Dan Johnson at 3:30 p.m. on February 25, 2002, in Room 423-S of the Capitol.

All members were present except: Representative Compton - excused  
Representative Faber - excused  
Representative O'Brien - excused

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

Conferees appearing before the committee:

Dr. Marc Johnson, Dean/Director, K-State College of Agriculture and K-State Research and Extension  
Dr. Bill Hargrove, Director, Kansas Center for Agricultural Resources and the Environment, KSU  
Jana Beckman, Coordinator, Kansas Center for Sustainable Agriculture and Alternative Crops, KSU  
Dr. Walter Fick, Associate Professor of Range Management in the Department of Agronomy, KSU  
Terry Knowles, Deputy Director, Kansas Bureau of Investigation (written only)  
Greg Foley, Assistant Secretary, Kansas Department of Agriculture  
George Teagarden, Livestock Commissioner, Kansas Animal Health Department  
Janet McPherson, Assistant Director, Public Policy Division, Kansas Farm Bureau  
Doug Wareham, Kansas Grain and Feed Association and Kansas Agribusiness Retailers Association  
Chris Wilson, Kansas Agricultural Aviation Association, Kansas Dairy Association, and Kansas Seed Industry Association

Others attending: See attached list

Dr. Marc Johnson, Dean of the College of Agriculture at Kansas State University and Director of the Kansas State University Agricultural Experiment Station and Cooperative Extension Service, presented an overview of K-State Research and Extension's annual report. He discussed the peer review process and other measures used in the scientific community to protect the integrity of knowledge garnered through scientific research. ([Attachment 1](#))

Dr. Bill Hargrove, Director, Kansas Center for Agricultural Resources and the Environment, Kansas State University, summarized the final results of a three-year study of animal waste management and the environmental impact of land application of animal wastes in Kansas. ([Attachment 2](#))

Jana Beckman, Coordinator, Kansas Center for Sustainable Agriculture and Alternative Crops, Kansas State University, reported on the accomplishments of the Kansas Center for Sustainable Agriculture and Alternative Crops established by the 2000 State Legislature. A *Kansas Family Farmer and Rancher Resources and Services Guide* has been completed as required by statute, copies are available through K-State Research and Extension. ([Attachment 3](#))

Dr. Walter Fick, Associate Professor of Range Management in the Department of Agronomy at Kansas State University, provided an update on the Sericea Lespedeza Management and Control Project. A rancher survey, applied and basic research programs, as well as education programs were discussed. ([Attachment 4](#))

**Hearing on SB 395 - State of emergency disaster and unlawful acts involving contagious or infectious diseases of plants or animals.**

Chairman Johnson opened the hearing on **SB 395**. Gordon Self explained that **SB 395** would create a new crime of endangering the food supply which would become a severity level 9, nonperson felony. Endangering the food supply would be a severity level 3, nonperson felony, if done with the intent to cause damage to plants or animals or to cause economic harm or social unrest. Endangering the food supply would be a severity level 3, person felony, if done with the intent to cause illness, injury or death to a human being or

## CONTINUATION SHEET

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beings. The bill also defines a criminal threat and would make it a severity level 9, person felony. The bill would allow the Governor to issue a proclamation declaring a state of disaster emergency if there is a contagious or infectious disease among plants, raw agricultural commodities, animal feed or processed food. Currently, the Governor can declare a state of emergency and establish a quarantine in the event of an outbreak of a contagious or infectious animal disease.

A feature story written for the professional journals of Kansas law enforcement on *Biological Threats to Kansas Agriculture* by Terry Knowles, Deputy Director, Kansas Bureau of Investigation, was distributed. The KBI expressed support for this legislation. (Attachment 5)

Greg Foley, Assistant Secretary, Kansas Department of Agriculture, appeared in support of **SB 395**, as amended in the Senate. The Department requested two additional amendments. Amend new Section 1 (a)(4) to include "or contaminant," as well as infectious disease, to cover a wider range of potential threats to agricultural commodities and feed or food stuffs. Amend Section 4 (b)(2) to include one additional statutory cite, K.S.A. 2-2114, which establishes the Secretary of Agriculture's duties in response to a plant pest. (Attachment 6)

George Teagarden, Livestock Commissioner, Kansas Animal Health Department, appeared in support of **SB 395**, as amended. For clarification, he proposed an exemption for research facilities that would come under new Section 1 (a)(2) and (4), much like that in new Section 1 (a)(3) for plants. Concerned about the scope of this bill, the Commissioner thought it might be wise to limit this legislation to foreign animal disease, defined as a disease that presently does not exist in the United States. (Attachment 7)

Janet McPherson, Assistant Director, Public Policy Division, Kansas Farm Bureau, expressed support for the intent of **SB 395**, as amended. She stated that this legislation is consistent with Farm Bureau's new bio-security policy language adopted at their annual meeting in November. (Attachment 8)

Doug Wareham, Kansas Grain and Feed Association and Kansas Agribusiness Retailers Association, testified in support of **SB 395**, as amended. He cautioned that while we tend to look abroad when we hear the word terrorism, history has proven that we face a much greater risk of this type of activity being carried out by special interest extremists presently operating in the United States. With his testimony, he included a listing of terrorist acts carried out in the United States and Great Britain during the past several years. (Attachment9)

Chris Wilson appeared on behalf of the Kansas Agricultural Aviation Association, Kansas Dairy Association, and Kansas Seed Industry Association in support of **SB 395**. These organizations would support an amendment to clarify that research activities are exempt, both for crops and livestock diseases. (Attachment10)

As there were no opponents, Chairman Johnson closed the hearing on **SB 395** and asked the Livestock Commissioner and the Department of Agriculture to work with staff on language for amendments suggested in their testimony.

The meeting adjourned at 5:25 p.m. The next meeting is scheduled for March 6, 2002.