

MINUTES OF THE SENATE AGRICULTURE COMMITTEE

The meeting was called to order by Chairman Derek Schmidt at 8:30 a.m. on January 21, 2004 in Room 423-S of the Capitol.

All members were present except:

Senator David Corbin- excused
Senator Dwayne Umbarger- excused
Senator Tim Huelskamp- excused

Committee staff present:

Raney Gilliland, Legislative Research
Lisa Montgomery, Office of the Revisor of Statutes
Robert Myers, Committee Secretary

Conferees appearing before the committee:

Greg Foley - Assistant Secretary of Agriculture, Kansas Department of Agriculture
Doug Wareham - Kansas Agribusiness Retailers Association
Chris Wilson - Kansas Dairy Association
Ron Wilson - Director, Huck Boyd National Institute for Rural Development, Kansas State University
Lesla Roberts - Director of the Bureau of Consumer Health, Kansas Department of Health & Environment
Leslie Kaufman - Director of Governmental Relations, Kansas Cooperative Council
Brad Harrelson - Associate State Director, Kansas Farm Bureau
Jim Sheehan - Executive Director, Kansas Food Dealers Association
Ronald Hein - Legislative Counsel, Kansas Restaurant & Hospitality Association

Others attending:

See Attached List.

Greg Foley appeared before the committee in order to request the introduction of a bill that would amend K.S.A. 2-1315, regarding noxious weeds. Specifically, the bill would remove the statutes' sunset date of June 30, 2005, thereby extending the ability of the Secretary of Agriculture to designate a county as a disaster area and to control and eradicate sericea lespedeza in such a county.

Senator Lee moved to introduce the bill as requested, seconded by Senator Downey. The motion carried.

Greg Foley also requested the introduction of a bill that would make technical changes to K.S.A. 83-301, regarding weights and measures. This bill would ensure that anyone who installs, repairs or adjusts weighing and measuring devices be required to be a licensed service company.

Senator Morris moved to introduce the bill as requested, seconded by Senator Lee. The motion carried.

Doug Wareham appeared before the committee in order to request the introduction of a bill that would require a one-time registration with the KDA upon the purchase of large-scale fertilizer and chemical application equipment (Attachment 1).

Senator Downey moved to introduce the bill as requested, seconded by Senator Lee. The motion carried.

Chris Wilson appeared before the committee in order to report on the Kansas Food Industry Roundtable, an event that occurred in the summer of 2003 in Manhattan, Kansas. The goal of the Kansas Dairy Association in organizing the event was to enable communication between the various sectors of the food industry in Kansas. The Huck Boyd Institute at Kansas State University was the primary partner of the KDA in organizing it.

Ron Wilson appeared before the committee in order to further elaborate on what took place during the Kansas Food Industry Roundtable event in the summer of 2003. Ron described the role of the Huck Boyd Institute in identifying food industry leaders who could take part in the process. Ron made note of a list

CONTINUATION SHEET

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of recommendations and observations, as made by the participants of the Roundtable, summarizing them into three groups: philosophical statements, those dealing with the Roundtable itself, and finally, those dealing with issue-specific matters. A more in-depth summary of the Roundtable was provided in the written report that was distributed to committee members and staff ([Attachment 2](#)).

Lesa Roberts appeared before the committee as a proponent of **ERO 32**. She spoke on behalf of KDHE, emphasizing the long commitment of the department to food safety. She further spoke of the recent steps taken by the department in this area, specifically noting strides made toward the standardization of the program regulation and enforcement, especially with regard to restaurants. She showed support for the ERO and its accommodation of the need to focus on these high-risk establishments. Further stressing the importance of this focus on restaurants, Lesa made note of the fact that the choice to consume food prepared outside of the home is apparently growing among Kansans. In ending, she indicated the potential for disruption of effectiveness if these programs were all shifted to another department, thus emphasizing once again her support for the ERO ([Attachment 3](#)).

Greg Foley appeared before the committee as a proponent of **ERO 32**. He identified food safety and consumer protection as core elements of the mission of the KDA. He brought to the attention of the committee a past example in which KDA and KDHE had successfully coordinated efforts. Finally, Greg stated his support for the functions given the two departments by the ERO: the authority of KDA over food production, processing and transportation; and the authority of KDHE over food prepared for immediate consumption ([Attachment 4](#)).

Leslie Kaufman appeared before the committee in order to support the consolidation of grocery store and restaurant food safety programs within the KDA. Furthermore, she stated that the inclusion of programs currently housed at KDHE is a natural extension of the functions of KDA. She expressed agreement with both **SB 296** and **ERO 32**, although indicating a desire for a broader transfer of food safety programs within the latter ([Attachment 5](#)).

Brad Harrelson appeared before the committee in support of the major components of both **SB 296** and **ERO 32**, especially with regard to the proposals of both that KDA should assume the lead role in food safety inspection programs. In addition, he recommended that the KDA retain its statutory designation as the Kansas Department of Agriculture ([Attachment 6](#)).

Todd Johnson submitted written testimony stating the unanimous support of the Kansas Agricultural Alliance for both **SB 296** and **ERO 32** ([Attachment 7](#)).

Jim Sheehan appeared before the committee as neutral with regard to **SB 296** and **ERO 32**. He stressed that his industry (i.e., grocery stores) is affected more than any other by the system of food safety inspections. He ended by stating a desire only for the safest inspection program possible, regardless of which department it is housed in ([Attachment 8](#)).

Ron Hein appeared before the committee as neutral with regard to which department should assume regulatory powers within the realm of food safety, although in strong support of food service inspections and food safety education. He spoke of the changing food service industry, indicating the amount of increase in money spent on food away from the home. Furthermore, he used this increase as an indicator for the need to provide high-quality, safe foods. He included within his written testimony two lists of questions: those asked originally of the Special Interim Committee on Agriculture, and those currently being added to said list ([Attachment 9](#)).

Chairman Schmidt appointed a subcommittee to work out the details of the food safety legislation, to be followed by a report to the committee as a whole. He assigned to this subcommittee himself, Senator Huelskamp, and Senator Lee.

Senator Downey moved to approve the minutes of both the January 13 and 14 committee meetings, seconded by Senator Tyson. The motion carried.

The next meeting is scheduled for Tuesday, January 27, 2004.