

Approved April 6, 1992  
Date

MINUTES OF THE SENATE COMMITTEE ON GOVERNMENTAL ORGANIZATION

The meeting was called to order by Senator Lana Oleen at  
Chairperson

1:40 ~~xxx~~ p.m. on March 17, 1992 in room 531-N of the Capitol.

All members were present except: Senators Oleen, Bogina, Doyen, Francisco, Kanan, Moran,  
Strick and Vidricksen.

Members Absent - Excused: Senator Gaines.

Committee staff present:

Julian Efird, Kansas Legislative Research Department

Fred Carman, Revisor of Statutes Office

Mary Allen, Committee Secretary

Conferees appearing before the committee:

Paul Shelby, Office of Judicial Administrator

Rich McKee, Kansas Livestock Association

Representative Vernon Correll, Kansas House of Representatives

Terry Denker, Kansas State Board of Agriculture

Jack Lacey, Department of Wildlife and Parks

The meeting of the Senate Committee on Governmental Organization was called to order at 1:40 p.m. by the Chairman, Senator Lana Oleen, who opened the hearing on HB 2670.

House Bill 2670 - State government, abolishing certain boards, commissions, and committees.

Staff gave an overview of HB 2670, as amended, and noted that it is the product of an interim study by the Special Committee on Governmental Organization. Staff said that the bill would abolish the following seven boards, committees, and commissions: Midwest Nuclear Board, Milk Advisory Committee, Hazardous Waste Disposal Facility Approval Board, Advisory Board on Low-Level Radioactive Waste, Advisory Committee on Podiatry, Information Systems Policy Board and Advisory Commission on Health and Environment. The Agricultural Labor Relations Board was removed in the House Committee of the Whole from the list of proposed boards for abolition.

Paul Shelby, representing the Judicial Administrator, Dr. Howard Schwartz, discussed the Information Systems Policy Board, which would be abolished under the provisions of HB 2670. Mr. Shelby said that Dr. Schwartz recommends that the Board be preserved to ensure that all three branches of government have an avenue available for input and representation in information technology policy-making. Dr. Schwartz further recommended that if this Board is not abolished, the statute should be changed to make the Board even more effective and responsive by allowing any member of it to call a meeting. (See Attachment I for copy of Dr. Schwartz's testimony as presented by Mr. Shelby.)

The next conferee on HB 2670 was Rich McKee, Kansas Livestock Association, who said that the Association is requesting a technical amendment to the bill to strike the words "K.S.A. 75-5712" from the title and from the repealer of the bill. Mr. McKee spoke in support of the House amendment to the bill which removed the Agricultural Labor Relations Board from the list of groups to be abolished. He presented background information on this Board and requested that it be kept in place in the statutes. (See Attachment II for copy of Mr. McKee's testimony.)

A letter was received from the Committee of Kansas Farm Organizations in support of HB 2670 as amended by the House Committee of the Whole. (Attachment III) A letter was also received from Azzie Young, Secretary of the Department of Health and Environment, concerning HB 2670 supporting elimination of the Hazardous Waste Disposal Facility Approval Board and the Advisory Board on Low-Level Radioactive Waste and stating that there would be no adverse program impact if the Advisory Commission on Health and Environment was abolished. (Attachment IV)

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON GOVERNMENTAL ORGANIZATION,  
room 531-N, Statehouse, at 1:40 ~~am~~ p.m. on March 17, 1992.

There being no further conferees, the hearing on HB 2670 was closed.

Chairman Oleen opened the hearing on HB 2807.

House Bill 2807 - An act creating the Kansas pecan commission.

Representative Vernon Correll, State Representative, appeared before the Committee in support of HB 2807. He discussed the provisions of the bill and noted that it would create a seven member Kansas Pecan Commission for the statutory purpose of recommending policy regarding marketing campaigns of development, education, research and publicity for the Kansas pecan industry. He said that this Commission would be attached to the Division of Markets of the State Board of Agriculture. He explained that the bill imposes an assessment of \$.0025 per pound on each pound of pecans handled in Kansas with the assessment expected to generate \$5,000.00 per year to fund the operations of the Commission. He noted that this assessment would be collected in conjunction with a national assessment established by the Pecan Research Act of 1990 and the collections would be made by the National Pecan Marketing Board established under that act. The state assessment portions would be transferred to the Kansas Pecan Commission Fund on a monthly basis. He said that if the national pecan marketing board would be discontinued, the Kansas Pecan Commission would then be abolished. (See Attachment V for copy of Representative Correll's testimony.)

Terry Denker, Assistant Director of Marketing for the Kansas State Board of Agriculture, presented testimony on behalf of the Director of Marketing, Eldon Fastrup, on HB 2807. He explained the provisions of the bill and noted that collections of the assessments provided for in bill would be made by the national Pecan Marketing Board with state assessment portions returned to the newly created Kansas Pecan Commission fund on a monthly basis. He observed that the bill also contains a provision for abolishment of the Commission if the national Pecan Marketing Board is discontinued for any reason. He said that Mr. Fastrup has stated that the Marketing Division is prepared to dedicate staff efforts to handle the responsibilities which it would have if this bill becomes law and the Division supports the concept of producer organizations establishing self-support mechanisms to assist market development and research efforts to promote their products. (See Attachment VI for copy of Mr. Fastrup's testimony as presented by Mr. Denker.)

The final conferee to speak in support of HB 2807 was Jack Lacey, Secretary of the Department of Wildlife and Parks, appearing on his own behalf. He emphasized the importance of the pecan crop to the growers and economy of Southeast Kansas and stated that this Commission would be of substantial benefit to all concerned in the research, development and marketing of this valuable resource. (See Attachment VII for copy of Secretary Lacey's testimony.)

There being no opponents to the bill appearing, Chairman Oleen closed the hearing on HB 2807.

The meeting was adjourned at 2:20 p.m.

GUEST LIST

---

NAME

TERRY DENKER

REPRESENTING

Ks. BOARD OF AGRICULTURE

Luca McKee

K.L.A.

**House Bill No. 2670**  
**Senate Governmental Organization**  
**March 17, 1992**

Testimony of Howard Schwartz  
Judicial Administrator  
Office of Judicial Administration

Mr. Chairman and members of the committee:

I thank you for the opportunity to testify on House Bill No. 2670 which proposes the abolition of a number of boards, commissions, and committees, including the Information Systems Policy Board established by K.S.A. 75-4708. (New Section 1, page two, lines 12-13, number 6).

I am speaking today as an appointed member of the Information Systems Policy Board.

The board consists of the Secretary of Administration, the Chief Justice of the Supreme Court, or his appointed designee, and the Chairperson of the Legislative Coordinating Council, or designee. The Director of the Division of Information Systems and Communications serves as a non-voting secretary for the board. The board's purpose is to review and approve the statewide comprehensive plan for central processing of data prepared by the Division of Information Systems and Communications.

*Senate Committee on Governmental Organization*  
*3-17-92*

*Attachment I*

Testimony  
March 17, 1992  
Page 2

I was appointed to this board in 1984. I believe in the beginning that the board did a good job of fulfilling it's statutory responsibilities. Further, the board provides a forum for sharing information and experience regarding technology issues and policies. It also serves as a sounding board to help resolve inter-jurisdictional disputes.

Due to several changes in the office of Secretary of Administration, this board has not met on a regular basis for over two years but I believe that the void created by the lack of these meetings has been felt. For example, in July of last year the Legislative Coordinating Council created a Task Force, composed of members from each branch of government to study automation. Perhaps, if the Information Systems Policy Board had been meeting regularly this task force would not have been required.

Some may argue that this new task force could serve as a replacement for the Information Systems Policy Board. Unfortunately, since the task force is not a statutory enactment it could be disbanded at any time. Further, the task force is still struggling to identify it's mission and objectives. By contrast, the objectives of the Information Systems Policy board are clear, succinct, and well conceived.

Testimony  
March 17, 1992  
Page 3

In summary, I recommend that the Information Systems Policy board be preserved. By preserving this board you will ensure that all three branches of government have an avenue available for input and representation in information technology policy-making.

Finally, the only change that I would recommend with this policy board is a recommendation allowing any member of the board to call a meeting. This would make the board even more effective and responsive.

I urge the committee to favorably consider my recommendation and strike number 12, on page two of this proposal and not abolish this board.



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Owns and Publishes The Kansas STOCKMAN magazine and KLA News & Market Report newsletter.

**STATEMENT  
OF THE  
KANSAS LIVESTOCK ASSOCIATION'S  
CONCERNING  
HOUSE BILL 2670  
BEFORE THE SENATE GOVERNMENTAL  
ORGANIZATION COMMITTEE  
SENATOR LANA OLEEN, CHAIRMAN  
SENATOR GUS BOGINA, VICE CHAIRMAN**

*Presented By*

*Rich McKee*

*Executive Secretary, Feedlot Division*

*March 17, 1992*

*The Kansas Livestock Association is a trade organization made up of approximately 9,000 members located in all 105 Kansas counties. KLA, founded in 1894, has members who are actively involved in numerous aspects of livestock production which include cow-calf/stocker producers, feeders, feedlots, sheep producers, swine operators, and general farming and ranching enterprises.*

*Good morning! The Kansas Livestock Association respectfully requests a technical amendment to House Bill 2670. Specifically, we request your committee strike the language which repeals K.S.A. 75-5712. This will address what appears to be a technical oversight that occurred when the bill was amended.*

*During the early 1970's, the legislature approved a package of ag labor laws. KLA and other ag groups worked hard to gain support for this package of ag labor legislation. Included in this package was legislation establishing the Agricultural Labor Relations Board.*

*The Agricultural Labor Relations Board has been used twice since its inception - once in the mid-seventies, and again in 1980. The lack of activity speaks well for both ag employees and employers. In both cases the board performed well. Both cases were resolved without major conflict.*

*Senate committee on Governmental Organization*

*3-17-92*

*Attachment II*

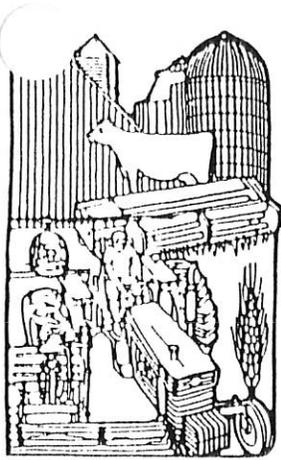
*1-2*

House Bill 2670  
March 17, 1992  
Page 2

*In 1989, the legislature discussed the viability of the Agricultural Labor Relations Board and decided to keep it in place, but amend the law to make the appointment process on an as-needed basis only. This change was contained in Senate Bill 256 and passed the Senate 38-0, and the House 114-11!*

*Kansas Livestock Association members would like to keep the ag labor laws, including the ag labor board, in place. Because of agriculture's uniqueness, such a board is beneficial to both parties. Administrative expense is minimal to nonexistent as the board is called upon only on an as-needed basis.*

*For these reasons, the Kansas Livestock Association asks for your consideration of our request for a technical amendment to House Bill 2670. Specifically, we request the committee strike the language which repeals K.S.A. 75-5712. Thank you!*



# Committee of Kansas Farm Organizations

## STATEMENT OF POSITION OF THE COMMITTEE OF KANSAS FARM ORGANIZATIONS

RE: HOUSE BILL NO. 2670

### SENATE GOVERNMENTAL ORGANIZATION

Al LeDoux

Legislative Agent

Route 1

Holton, KS 66436

(913) 364-3219

Committee of Kansas  
Farm Organization Members

Associated Milk Producers, Inc.

Kansas Agri-Women Association

Kansas Association of Soil  
Conservation Districts

Kansas Association of  
Wheat Growers

Kansas Cooperative Council

Kansas Corn Growers Association

Kansas Electric Cooperatives

Kansas Ethanol Association

Kansas Farm Bureau

Kansas Fertilizer and  
Chemical Association

Kansas Grain and Feed Association

Kansas Livestock Association

Kansas Meat Processors  
Association

Kansas Pork Producers Council

Kansas Rural Water  
Districts Association

Kansas Seed Industry Association

Kansas Soybean Association

Kansas State Grange

Kansas Veterinary Medical  
Association

Kansas Water Resources Association

Kansas Water Well Association

Mid America Dairymen, Inc.

Western Retail Implement and  
Hardware Association

Kansas Grain Sorghum Producers

Kansas Association of Nurserymen

March 17, 1992

Mr. Chairman, Members of the Committee: My name is Al LeDoux and I am submitting written testimony to you this morning on behalf of the Committee of Kansas Farm Organizations. As you well know, our group is made up of twenty-five (25) Ag and Ag related organizations operating here in Kansas.

CKFO elected to unanimously oppose House Bill 2670. However, since the House of Representatives amended the bill by withdrawing line 2 of Section 1, we would now support the passage of this legislation.

We therefore would ask for your favorable consideration and passage of House Bill 2670.

Respectfully submitted,

Al LeDoux

*Senate Committee on Governmental Organization*

*3-17-92*

*Attachment III*



Department of Health and Environment

Azzie Young, Ph.D., Secretary

Reply to:

Written Testimony presented to

Senate Governmental Organization

by

The Kansas Department of Health and Environment

House Bill 2670 Amended

House Bill 2670 abolishes certain state boards, commissions and committees of the Department of Health and Environment.

The Hazardous Waste Disposal Facility Approval Board established under KSA 65-3432 is abolished. This group was created by statute to give approval for siting of hazardous waste disposal facilities. The board has not met since 1982 nor have any applications been received. The agency recommends the elimination of this Board.

House Bill 2670 also abolishes the Advisory Board on Low-Level Radioactive Waste established by KSA 65-34a03. This Board has not met since April 2, 1986. This group was very active in 1985 and 1986 during the critical stages of the Compact's regional characterization studies and host state selection. The Board provided input and recommendations to the Secretary of Health and Environment (Kansas Commissioner) on a number of compact issues. The Board did not review or consider any recommendations. It is recommended that the Advisory Board on Low-Level Radioactive Waste be abolished and if the need for input arises, the Governor can appoint a special advisory commission or panel.

Lastly, House Bill 2670 abolishes the Advisory Commission on Health and Environment created by KSA 74-5656. The 1988 Kansas Legislature abolished the Commission on Health and the Commission on Environment and formed the Advisory Commission on Health and Environment. The 13 members are appointed by the Governor. The role of the Commission has been limited. Since KDHE is a large agency with diverse programs and complex policy issues, it has been extremely difficult for the Commission to study, assess, and evaluate the issues sufficiently to advise the Secretary about policy matters. The cost for the Commission to operate is approximately \$1,000 per meeting. There would be no adverse program impact if this Commission was abolished.

Testimony presented by:

Azzie Young, Ph.D.  
Secretary of Health and Environment  
March 17, 1992

*Senate Committee on Governmental Organization*  
*3-17-92*  
*Attachment IV*

VERNON W. CORRELL  
 REPRESENTATIVE, SEVENTH DISTRICT  
 LABETTE COUNTY  
 PO BOX 214  
 OSWEGO, KS 67356



TOPEKA

HOUSE OF  
 REPRESENTATIVES

COMMITTEE ASSIGNMENTS  
 MEMBER: AGRICULTURE  
 ENERGY & NATURAL RESOURCES  
 TRANSPORTATION

## TESTIMONY

ON

HOUSE BILL 2807

TO

SENATE GOVERNMENTAL ORGANIZATION COMMITTEE

Thank you Madam Chair and members of the committee for allowing me to appear before you. I'm Representative Vernon Correll from the 7th District in Labette County.

This proposed legislation would create the Kansas Pecan Commission for the statutory purpose of recommending policy regarding marketing campaigns of development, education, research and publicity for the Kansas pecan industry. As proposed, the bill would create a seven member commission, attached to the Division of Markets of the State Board of Agriculture. Funding for this commission would be derived from an assessment of \$.0025 per pound of pecans handled in Kansas. Such assessment would be collected in conjunction with a national assessment established by the Pecan Research Act of 1990, 7 U.S.C.A., 6001 et. seq. These collections would be made by the National Pecan Marketing Board established under this act, and state assessment portions transferred to the Kansas Pecan Commission Fund on a monthly basis. If the national pecan marketing board would be discontinued, the Kansas Pecan Commission would then be abolished. The bill would require the Division of Markets to utilize established state accounting and reporting functions to process vouchers and enter into contractual obligations.

The provisions of the bill would establish a new fund for the receipt of collections from the above-mentioned assessments. Under the provisions of K.S.A. 75-3170a, a portion of the receipts would

*Senate Committee on Governmental Organization*

*3-17-92*

*Attachment II*

be deposited in the state general fund and the balance credited to the Kansas Pecan Commission fund. The bill does not establish provisions for refunds to growers.

According to production figures compiled by the Kansas Agricultural Statistics office for 1991, growers in Kansas were estimated to produce 800,000 pounds. The bill, as proposed, places the assessment on pecans handled, which is different than grown because some production from surrounding states are actually sold to the "first handler" in Kansas. Southeast Kansas Pecan Experiment Station, located at Chetopa, indicates that approximately 2,000,000 pounds are actually handled in Kansas by processors and marketers. Using this figure for assessment purposes, an estimated collection of \$5,000 would be realized from this bill.

Besides the set aside to state general fund, the bill provides for the payment of travel expenses associated with attendance at commission meeting. The bill provides that the commission must meet at least once on an annual basis.

Thank you for the opportunity to appear before you.

Vernon W. Correll  
State Representative  
District #7

SUMMARY OF ESTIMATED FISCAL IMPACT

RE: IMPACT BY FUND

	FY 1993	FY 1994	FY 1995
Kansas Pecan Commission Fund	4,000	4,000	4,000
State General Fund	1,000	1,000	1,000
<b>TOTAL REVENUE</b>	<b>\$ 5,000</b>	<b>\$ 5,000</b>	<b>\$ 5,000</b>

EXPENDITURE IMPACT BY FUND

Kansas Pecan Commission Fund	4,000	4,000	4,000
<b>TOTAL EXPENDITURES</b>	<b>\$ 4,000</b>	<b>\$ 4,000</b>	<b>\$ 4,000</b>

EXPENDITURE IMPACT BY OBJECT  
SALARIES & WAGES

Communications			
Printing	125	125	125
Rents			
Repair			
Travel			
Other Contractual	528	528	528
<b>TOTAL CONTRACTUAL</b>	<b>\$ 3,900</b>	<b>\$ 3,900</b>	<b>\$ 3,900</b>

Clothing			
Maint. Supplies			
Prof. Supplies			
Office Supplies	100	100	100
Other Supplies			
<b>TOTAL COMMODITIES</b>	<b>\$ 100</b>	<b>\$ 100</b>	<b>\$ 100</b>

<b>CAPITAL OUTLAY</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>
<b>TOTAL OPERATING EXPENDITURES</b>	<b>\$ 4,000</b>	<b>\$ 4,000</b>	<b>\$ 4,000</b>

SALARIES AND WAGES SUMMARY

<u>Classification</u>	<u>Salary Range</u>	<u>No.</u>	<u>Amount</u>	<u>No.</u>	<u>Amount</u>	<u>No.</u>	<u>Amount</u>
Total Benefits							
<b>TOTAL SALARIES &amp; WAGES</b>		<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

CAPITAL OUTLAY  
Item

<u>Item</u>	<u>No.</u>	<u>Unit Cost</u>
<b>TOTAL CAPITAL OUTLAY</b>	<b>\$ 0</b>	<b>\$ 0</b>

**PRESENTED**

**TO**

**Governmental Organization**

**Senate Committee**

**Lana Oleen, Chairperson**

**March 17, 1992**

**Submitted By:**

**Sam Brownback, Secretary**

**Kansas State Board of Agriculture**

**Eldon Fastrup, Director**

**Marketing Division**

*Senate Committee on Governmental Organization  
3-17-92  
Attachment VI*

Good afternoon Madam Chairman and members of the committee. My name is Eldon Fastrup, and I am the Director of Marketing for the Kansas State Board of Agriculture. House Bill #2807, which you are considering today, would create the Kansas Pecan Commission and place the responsibility for administration and operation within the Marketing Division. A fiscal note prepared by our division estimates the assessments collected by this new function to be approximately \$5,000 per year. As defined by the bill, collections would be based on an assessment of 1/4 of 1 cent per pound of pecans handled by "first handlers" in the state. Experts in the pecan industry estimate that approximately 2,000,000 pounds of pecans are handled by processors and marketers in the state each year.

Provisions of this bill provide for set asides to the state general fund to cover accounting, purchasing and other governmental services costs performed on behalf of the state agency. Other operating expenditures are necessary for payment of travel expenses and subsistence to commission members for attendance to at least one meeting annually. The remainder of funds would be utilized for market development, research, education, and publicity for the Kansas Pecan Commission.

Collections, as outlined by the bill, would be made by the national Pecan Marketing Board, and state assessment portions returned to the newly created Kansas Pecan Commission fund on a monthly basis. The bill also establishes a provision for abolishment of the Kansas Pecan Commission if the national Pecan Marketing Board is discontinued for any reason.

The Marketing Division acknowledges that with funding levels at such a low level, operations would need to be "bare bones" so that the maximum amount of money could be spent on program functions established by the seven member commission. Existing division staff would need to be re-aligned to assume the new administrative responsibility that is required. The division is prepared to dedicate such staff efforts to complete these responsibilities. The division supports the

**concept of producer organizations establishing self-support mechanisms to assist market development and research efforts to promote their products.**

**Thank you for the opportunity to present testimony on this bill and I stand ready to answer any questions you may have.**

Chairperson Oleen  
Members of the Committee

Thank you for allowing me to appear before this committee today. I come in support of HB 2807. I am Jack Lacey and have been a resident of the area of Southeast Kansas where pecans are grown and I want to emphasize the importance of this crop to the growers and the economy of the area, as well as the State. I feel this commission will be of substantial benefit to all concerned in the research, development and marketing of this valuable resource.

I urge your support of HB 2807 and will be glad to stand for questions.

*Jack Lacey*

*Senate Committee on Governmental Organization*

*3-17-92*

*Attachment VII*