

Approved: 3-19-93
Date

MINUTES OF THE SENATE COMMITTEE ON AGRICULTURE

The meeting was called to order by Chairperson David Corbin at 10:08 a.m. on March 18, 1993 in Room 423-S of the Capitol.

All members were present except: all members were presented

Committee staff present: Raney Gilliland, Legislative Research Department
Jill Wolters, Revisor of Statutes
Lila McClafin, Committee Secretary

Conferees appearing before the committee: Larry Woodson, Kansas State Board of Agriculture
Tuck Duncan, Kansas Wine and Spirit Wholesale Association
Eldon Fastrup, Department of Agriculture

Others attending: See attached list

The Chairman opened the discussion on HB 2144 - concerning violations of the meat and poultry inspection act. He called on Larry Woodson.

Mr. Woodson introduced Dr. Joe Beuerlein a new veterinarian in the inspection area of the Department. Dr. Beuerlein was welcomed by the Committee.

Mr. Wood spoke in support of HB 2144. He said they desired to make provisions of the Kansas Meat and Poultry Act consistent in its use of the terms "distribution" and "transportation". This request was made because of a recent court case (Attachment 1).

A motion was made by Senator Morris to pass HB 2144 and because of its noncontroversial nature place it on the consent calendar. Motion was seconded by Senator Tillotson. Motion carried.

The Chairman opened the discussion on HB 2106 - concerning domesticated deer; relating to the production. A motion was made by Senator Sallee to amend the bill on page 17, line 24, by inserting after the word regulations the language "on diseased controlled programs and". Seconded by Senator Morris. Motion carried. A motion was made Senator Sallee to pass as amended HB 2106. Seconded by Senator Tillotson. Discussion followed. The motion carried.

The Chair opened the discussion on SB 375 - providing for development of the grape and wine industry in the state. In the absences of Senator Karr, Senator Wisdom presented an amendment to SB 375, and explained the concept (Attachment 2). There was some concern expressed regarding what the amount of the fiscal note might be on the new proposal. It was suggested the amount would only be for travel expenses and perhaps lunch for council members and it would be a relatively small amount, and perhaps it would give the wine producers some guidances and help in organizing their association.

Tuck Duncan said the Kansas Wine and Spirit Wholesale Association could support the concept of the amendment.

Eldon Fastrup said they could support the concept and they would be happy to work with the wine growers.

Senator Karr moved to adopt the amendment and present it as a substitute bill. Senator Wisdom seconded. Motion carried. Senator Karr moved to pass as amended SB 375. Seconded by Senator Wisdom Motion carried.

The next meeting is scheduled for March 19, 1993. The meeting adjourned at 10:46 a.m.

GUEST LIST

COMMITTEE: Senate Agriculture

DATE: March 18, 1993

[illegible]

HOUSE BILL NO. 2144
SENATE AGRICULTURE COMMITTEE

March 18, 1993

Mr. Chairman, members of the Senate Agricultural Committee: My name is Larry D. Woodson, Director of the Division of Inspections and I am here this morning to testify in support of House Bill No. 2144 which will establish administrative remedies in the Kansas Meat and Poultry Inspection law and make other technical changes.

Our desire to amend K.S.A. 65-6a27 is based on our experiences in court in which there was a legal question regarding the difference between the term "transportation" in the unlawful acts section of the law (K.S.A. 65-6a27) and the term "distribution" in the penalty section of the law (K.S.A. 65-6a40). Similar confusion has arisen in federal courts. The amendments proposed for your consideration will address that situation.

New section 6 of this proposal provides for suspension of registration for violations of the Meat and Poultry Inspection Act.

The violations are set forth as convictions, failure to comply with regulations, interference with authorized inspections, and failure to allow ingress and egress.

Previously, the law only allowed for withdrawal of inspection rather than suspension of registration. This allowed action under egregious conditions resulting from adulteration but failed to address mislabeling and other situations involving food safety.

Mr. Chairman, I will answer any questions relative to our request for this bill.

*Senate Ag Co
3-18-93
attachment 1*

SENATE BILL No. 375
(AMENDED)

New Section 1. (a) There is hereby established within the division of markets of the state board of agriculture a grape and wine industry advisory council consisting of nine members as follows:

(1) A member of the house of representatives and a member of the senate appointed by the legislative coordinating council, and such members shall be from different political parties;

(2) a representative of the college of agriculture at Kansas state university, appointed by the dean of the college of agriculture;

(3) six citizens of Kansas, representing grape growers and winemakers, tourism industry interests, and wine and liquor retailers or wholesalers including:

(A) two representatives from the commercial grape growing industry;

(B) two representatives from the licensed farm winery industry;

(C) one representative from the licensed wine distributor or licensed retail liquor industry;

(D) one representative from the tourism industry of Kansas; who shall be appointed by the secretary of the state board of agriculture.

(b) The members of the advisory council appointed under subsection (a)(1) shall be appointed for a term ending on the day preceding the commencement of the regular session of the legislature in the first odd-numbered year following appointment. The members of the advisory council appointed by the secretary under subsection (a)(3) shall be appointed for terms as follows: (1) Three members shall be appointed for terms ending on June 30, 1994, and (2) three members shall be appointed for terms ending on June 30, 1995. After the expiration of the initial terms of such members appointed by the secretary, members shall be appointed by the secretary for terms of two years. All vacancies in the office of appointed members shall be filled by appointment by the officer or council making the original appointment for the remainder of the unexpired term of the member creating the vacancy.

(c) The advisory council shall organize annually by the election from its membership of a chairperson and a vice-chairperson. The advisory council shall adopt such rules of procedure as it deems necessary for conducting its business.

(d) The members of the advisory council shall be paid subsistence allowance, mileage and other expenses for attendance at meetings of the council, or subcommittee meetings thereof authorized by the council, as provided in K.S.A. 75-3223, and amendments thereto.

New Sec. 2. The grape and wine industry advisory council shall have the following duties, authorities and powers to:

(a) Advise the state board of agriculture and other state agencies on the grape and wine industry problems and needs;

(b) determine and recommend specific research priorities;

(c) facilitate improved communication and interaction among grape and wine producers, wine and liquor wholesalers and retailers, governmental agencies, both federal and state, and state tourism interests;

(d) determine and recommend specific marketing program priorities to assist in promoting and marketing the state's grape and wine industry;

(e) develop and recommend a long-term plan for financing the continued promotion and marketing of the Kansas grape and wine industry; and

(f) advise the state board of agriculture in support of the Kansas grape and wine industry.

*Senate Reg. Co.
Attachment 2
3-18-93*