

Approved: 1-24-94
Date

MINUTES OF THE SENATE COMMITTEE ON AGRICULTURE.

The meeting was called to order by Chairperson David Corbin at 10:00 a.m. on January 19, 1994 in Room 423-S of the Capitol.

All members were present except: Quorum was present

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

Conferees appearing before the committee:
Lee Hamm, Director Grain Inspection Department

Others attending: See attached list

Chairperson Corbin called on Lee Hamm, Director, Grain Inspection Department.

Mr. Hamm introduced Tom Meyer the new Assistant Grain Director. He requested an amendment to K.S.A. 34-103A, which regulates their fee schedule. The change would strike edible beans in each instance and insert: The following fees shall be charged for the services rendered by this department under the United State Agricultural Marketing Act of 1946 as amended (Attachment 1). A motion was made by Senator Wisdom that the request be accepted and the bill be introduced. Senator Morris seconded the motion. The motion carried.

Senator Steffes and Senator Downey recommended a bill be introduced concerning watershed structures. The statutes provide for 20 year exempt and they recommended this be amended to extend the exemptions of watershed projects from taxation. Committee discussion followed. Chairperson Corbin stated he had talked with Senator Langworthy, Chairperson, Assessment and Taxation, and she did not object to the Agriculture Committee considering this proposal. A motion was made by Senator Steffes to introduce a bill that would extend the tax exemption on watershed projects. Senator Frahm seconded the motion. The motion carried.

A motion was made by Senator Sallee that legislation be introduce to exempt from taxation a berm or property around a hazardous material site in order to comply with the Environmental Protection Regulations. Senator Morris seconded the motion. The motion carried.

The Committee discussed an invitation from Larry Woodson inviting the Committee to tour the Weights and Measures Facilities. Committee consensus was to accept the invitation and staff was instructed to contact Mr. Woodson to arrange the tour.

A motion was made by Senator Frahm to correct the minutes of January 13 and they be approved as corrected. Senator Morris seconded the motion. The motion carried.

The meeting adjourned at 10:28.

The next meeting is scheduled for January 20, 1994.

GUEST LIST

COMMITTEE: Senate Agriculture

DATE: January 19, 1993

[illegible]

THE STATE OF KANSAS

JOAN FINNEY
GOVERNOR



LEE HAMM
DIRECTOR

INSPECTION POINTS

ATCHISON	KANSAS CITY
COLBY	SALINA
DODGE CITY	TOPEKA
HUTCHINSON	WICHITA

GRAIN INSPECTION DEPARTMENT

GENERAL OFFICE

700 Jackson, Suite 800, P.O. Box 1918, Topeka, Kansas 66601-1918

INSPECTION DIVISION

WAREHOUSE DIVISION

PHONE (913) 296-3451



TO: SENATE AGRICULTURE COMMITTEE

FROM: LEE HAMM, DIRECTOR *LH*

DATE: JANUARY 18, 1994

SUBJECT: REQUEST FOR LEGISLATION

WE WOULD LIKE TO REQUEST AN AMENDMENT TO K.S.A. 34-103A, WHICH IS OUR FEE SCHEDULE.

WHERE WE HAVE EDIBLE BEAN INSPECTION OFFICIAL WAREHOUSE LOT, OFFICIAL CAR SAMPLE, OFFICIAL TRUCK SAMPLE, SUBMITTED SAMPLE, THE PER HOUR ON SAMPLING FEE, CHECK WEIGHING OR CHECKLOADING, \$20 PER HOUR.

WE WOULD LIKE TO STRIKE EDIBLE BEAN IN EACH INSTANCE AND HAVE IT READ:

THE FOLLOWING FEES SHALL BE CHARGED FOR THE SERVICES RENDERED BY THIS DEPARTMENT UNDER THE UNITED STATE AGRICULTURAL MARKETING ACT OF 1946 AS AMENDED:

AND LEAVE OFF EDIBLE BEAN IN EACH INSTANCE.

THERE ARE OTHER CROPS WHICH FALL UNDER THE A.M.A. WHICH WE NEED TO HAVE AUTHORITY TO CHARGE FEES FOR, SUNFLOWERS IN PARTICULAR. MUSTARD IS ANOTHER THAT MIGHT FALL IN THIS CLASS. WE JUST NEED THE FLEXIBILITY TO GO WITH WHAT IS OUT THERE.

Senate Ag Co
1-19-94
(attachment 1)

1-1

type-registering beams or electric tape, in order that an original ticket may be taken of each draft original punched scale ticket the property of the Kansas state department, and shall be filed with the weight.

son or entity shall install or contain at any elevator, mill or warehouse official state weights are given any fan, cleaner or other device for removing dirt, seeds, sticks or substances from grain unloaded at mill or warehouse before the grain is officially weighed.

erson shall in any manner change official state inspection or weight certificate after it has been issued.

official state weight certificate has been issued on any lot of grain, the purchaser shall be liable for the settlement on the basis of the weight shown on that weight certificate.

violation of any provision of this section shall be a misdemeanor.

provision of this section shall be to prohibit or prevent either the state board of agriculture or the department or any of their respective representatives from inspecting any weighing or measuring device or otherwise performing any of their duties pursuant to any provision of chapter 83 of Kansas Statutes and amendments thereto.

L. 1907, ch. 222, § 3; L. 1914, ch. 226, § 1; L. 1921, ch. 199, § 1; R.S. 1923, ch. 189, § 5; L. 1983, ch. 121, § 1; L. 1989, ch. 121, § 1; L. 1990, ch. 121, § 1.

3a. Fees for departmental services for inspection and sampling, rules and regulations. (a) The Kansas state grain inspection department shall collect from any person requesting services a fee for services rendered by the department. Such fee shall be determined and fixed by the department, subject to the approval of the advisory commission. Prior to the fixing of such fees, the department shall consider recommendations thereon by the advisory commission. Such fees shall be more than the amounts shown in the following fee schedule:

	Not more than		
Carlot, per inspection or reinspection	\$ 20	Edible-bean inspection sampling fee, check weighing or checkloading, per hour	20
Extra sample secured at time of original, per request	6	Carlot, per class I weight, 100% supervision (Minimum of 2 cars weighed per hour or hourly charges apply on top of weighing charge)	8
New sample secured after original, per request	7	Carlot per class II weight, 25% supervision	5
Articulate carlot, per inspection or reinspection, per 1,000 bu. or fraction	5	Barge weight, per 1,000 bu. or fraction	5
Extra sample or new sample	20	Truck or trailer, per weight	8
Truck or trailer, per inspection or reinspection	10	House transfer weight, per 1,000 bu. or fraction	5
Extra sample secured at time of original, per request	5	Weigh-up, annual, per 1,000 bu. or fraction	3
Bin inspection, plus applicable sampler hourly rate	7	In weighing, sacked cars, per manhour	20
Submitted sample inspection, per sample	7	Out weighing, sacked cars, with count, per manhour	20
Warehouse sample-lot inspection, per sample	10	Out weighing, sacked cars, with count and weight each sack, per manhour	20
Diverter-type sample at points outside inspection point switching limits, plus applicable sampler hourly rate and mileage	10	Charge for services performed on call in or call back after designated working hours by state grain personnel upon request by grain industry, including Saturdays, Sundays and holidays, per hour (with two hours minimum fee)	20
Barge inspection or reinspection, per 1,000 bu. or fraction	5	Special services	30
All reinspections of above carriers based on file sample	7	(b) Where any service is performed in a business community where the department does not regularly maintain an inspection station, the department may charge for subsistence and transportation of personnel and equipment from the headquarters of such personnel to such point and return. Such charges shall be set by adoption of rules and regulations as provided by law. The director may fix the manner in which the charges are collected.	
Initial checktest and approve country point diverter-type samplers and train elevator sampler, plus hourly and travel time rate and mileage	60	(c) If any person, warehouse or railroad corporation or any of their agents or employees refuses or prevents the officers of the department from having access to their scales, elevators, warehouses and other places in the regular performance of their duties in inspecting, sampling, sampling for inspection and weighing grain or other property in accordance with the tenor and meaning of this act or any law now in force or that may be enacted in relation to the same, such persons or corporations shall be guilty of a misdemeanor.	
Diverter-type review checktest visits at country points, hourly rate plus mileage	20	(d) The department is authorized to provide up to a 20% discount of fees of services rendered through a contractual agreement in which the applicant agrees to have all services performed by the department. The number and type of services shall be listed in the contractual agreement and may include, but are not limited to: (1) Carlot, trucklot, barge lot, in or out inspections; (2) weights including submitted samples, protein, aflatoxin; and (3) other tests that may be requested or are provided by the department.	
Checktesting diverter-type samplers at terminal points, hourly rate (with one hour minimum fee)	20	History: L. 1959, ch. 195, § 2; L. 1967, ch. 226, § 1; L. 1982, ch. 178, § 1; L. 1984, ch. 150, § 1; L. 1986, ch. 152, § 1; L. 1988,	
Chemical test (bleaching per sample)	10		
Protein, grains other than wheat	15		
Oil, grains other than wheat	15		
Protein initial or reinspection	5		
Aflatoxin test (quick test)	30		
Aflatoxin kit	20		
Aflatoxin test (quantitative test)	30		
Factor only determination, one factor	5		
Factor only determination, 2 or more factors, per factor (not to exceed full grade fee)	5		
Each approved statement requested in addition to grade requirement	5		
Duplicate certificate	3		
Storage examination, carlot, per request	10		
Storage examination, barge, per request	15		
Storage examination, articulate carlot, per request	15		
WIV count	7		
Charge for services performed on overtime (after eight hours per day) by state grain personnel upon request by grain industry, including Saturdays, Sundays and holidays, per overtime hour	20		
Charge per hour for sampler or weigher by special arrangement, per man	20		
Edible-bean inspection (official warehouse lot), per certificate	25		
Edible-bean inspection (official car sample), per certificate	25		
Edible-bean inspection (official truck sample), per certificate	20		
Edible-bean inspection (submitted sample), per certificate	15		