

Approved: 4-28-1995
Date

MINUTES OF THE SENATE COMMITTEE ON AGRICULTURE.

The meeting was called to order by Chairperson David Corbin at 8:33 a.m. on April 28, 1995 in Room 423-S of the Capitol.

All members were present.

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

Conferees appearing before the committee:
Allie Devine, Secretary of Agriculture

Others attending: See attached list

Confirmation hearing on Allie Devine, Secretary of Agriculture, to serve at the pleasure of the Governor, pursuant to legislation enacted by the 1995 Legislature.

Chairperson Corbin called on Ms. Devine. Ms Devine reviewed her past experience and education. She stated the Secretary of Agriculture's chief duties are regulatory, but she was interested in promoting agriculture in the state. She shared some of her ideas for increasing agriculture production. Her paper work is **(Attachment 1)**.

She responded to questions from members of the committee. She stated her experience in Washington, D.C. would be very helpful in promoting Kansas agriculture and being able to get responses from the people in charge of agriculture there, as she has worked with many of them. She spoke briefly about the water issues in Kansas. She stated David Pope is doing an excellent job of monitoring the waters of the state. She said the atroschine problem in Kansas' Waters is constantly being monitored. Some of the issues concerning rural Kansas and the importance of communities supporting and promoting themselves was addressed. She pointed out the problems of rural Kansas need to be looked at and a long range plan adopted to make the entire state produce. Finally she addressed the value added program and stressed its importance.

Chairperson Corbin called attention to Jamie Clover Adams written testimony which was distributed **(Attachment 2)**.

Senator Sallee made a motion to recommend Allie Devine to the full Senate for confirmation as Secretary of Agriculture. The motion was seconded by Senator Downey. Motion carried.

The meeting adjourned at 8:56 a.m.

No further meetings are scheduled for 1995.

C. **OWNERSHIP INTERESTS:** List any corporation, partnership, proprietorship, trust, joint venture and every other business interest, including land used for income in, which either you or your spouse has owned within the preceding 12 months a legal or equitable interest exceeding \$5,000 or 5%, whichever is less. If you or your spouse own more than 5% of a business, you must disclose the percentage held. Please insert additional page if necessary to complete this section.
 If you have nothing to report in Section "C", check here .

BUSINESS NAME AND ADDRESS	TYPE OF BUSINESS	DESCRIPTION OF INTERESTS HELD	HELD BY WHOM	PERCENT OF OWNERSHIP INTERESTS
1.			<input type="checkbox"/> You <input type="checkbox"/> Spouse <input type="checkbox"/> Jointly	
2.			<input type="checkbox"/> You <input type="checkbox"/> Spouse <input type="checkbox"/> Jointly	
3.			<input type="checkbox"/> You <input type="checkbox"/> Spouse <input type="checkbox"/> Jointly	
4.			<input type="checkbox"/> You <input type="checkbox"/> Spouse <input type="checkbox"/> Jointly	
5.			<input type="checkbox"/> You <input type="checkbox"/> Spouse <input type="checkbox"/> Jointly	
6.			<input type="checkbox"/> You <input type="checkbox"/> Spouse <input type="checkbox"/> Jointly	
7.			<input type="checkbox"/> You <input type="checkbox"/> Spouse <input type="checkbox"/> Jointly	

D. **GIFTS OR HONORARIA:** List any person or business from whom you or your spouse either individually or collectively, have received gifts or honoraria having an aggregate value of \$500 or more in the preceding 12 months.
 If you have nothing to report in Section "D", check here .

NAME OF PERSON OR BUSINESS FROM WHOM GIFT RECEIVED	ADDRESS	RECEIVED BY:
1.		
2.		
3.		

E. **RECEIPT OF COMPENSATION:** List all places of employment in the last calendar year, and any other businesses from which you or your spouse received \$2,000 or more in compensation (salary, thing of value, or economic benefit conferred on in return for services rendered, or to be rendered), which was reportable as taxable income on your federal income tax returns.

1. YOUR PLACE(S) OF EMPLOYMENT OR OTHER BUSINESS IN THE PRECEDING CALENDAR YEAR. IF SAME AS SECTION "B", CHECK HERE ____.
If you have nothing to report in Section "E"1, check here ____.

	NAME OF BUSINESS	ADDRESS	TYPE OF BUSINESS
1.	KANSAS Livestock Association	6031 SW 37th, Topeka, Ks 66614	Non-profit Association
2.			

2. SPOUSE'S PLACE(S) OF EMPLOYMENT OR OTHER BUSINESS IN THE PRECEDING CALENDAR YEAR.
If you have nothing to report in Section "E"2, check here ____.

	NAME OF BUSINESS	ADDRESS	TYPE OF BUSINESS
1.	CARPENTER Professional Association	2921 SW Wauwassee Drive Topeka, Ks 66611	LAW OFFICE
2.			

F. **OFFICER OR DIRECTOR OF AN ORGANIZATION OR BUSINESS:** List any organization or business in which you or your spouse hold a position of officer, director, associate, partner or proprietor at the time of filing, irrespective of the amount of compensation received for holding such position. Please insert additional page if necessary to complete this section.
If you have nothing to report in Section "F", check here ____.

	BUSINESS NAME AND ADDRESS	POSITION HELD	HELD BY WHOM
1.	Carpenter Professional Association 2921 S.W. Wauwassee Drive, Topeka, Ks 66611	Associate	Greg Wright
2.			
3.			
4.			
5.			

G. **RECEIPT OF FEES AND COMMISSIONS:** List each client or customer who pays fees or commissions to a business or combination of businesses from which fees or commissions you or your spouse received an aggregate of \$2,000 or more in the preceding calendar year. The phrase "client or customer" relates only to businesses or combination of businesses. In the case of a partnership, it is the partner's proportionate share of the business, and hence of the fee, which is significant, without regard to expenses of the partnership. An individual who receives a salary as opposed to portions of fees or commissions is generally not required to report under this provision. Please insert additional page if necessary to complete this section.

If you have nothing to report in Section "G", check here .

	NAME OF CLIENT / CUSTOMER	ADDRESS	RECEIVED BY
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
13.			

H. **DECLARATION:**

I, Alice G. Devant, declare that this statement of substantial interests (including any accompanying pages and statements) has been examined by me and to the best of my knowledge and belief is a true, correct and complete statement of all of my substantial interests and other matters required by law. I understand that the intentional failure to file this statement as required by law or intentionally filing a false statement is a class B misdemeanor.

2-20-95
Date

Alice G. Devant
Signature of Person Making Statement

NUMBER OF ADDITIONAL PAGES 0.

Return your completed statement to the Secretary of State, State House, Topeka, Kansas 66612.

APPOINTMENTS QUESTIONNAIRE

Office of Governor Bill Graves

Please complete and return this form to the Governor's Appointments Office. Attach additional sheets if necessary.

Name: Alice A. Devine (Allie)

Home Address: 6117 SW 39th

City, State, Zip: Topeka, Kansas 6610-1370

Business Address: 901 S Kansas Avenue

City, State, Zip: Topeka, Kansas 66612

Home Phone: 913-478-4217 Business Phone: 913-296-3558

Date of Birth: 1-21-61 Place of Birth: Dodge City, Kansas

Party Affiliation: Republican KBI Check: NA In Process Complete

Appointed as: Secretary of Agriculture

Appointment Date: 1-10-1995 Expiration Date: N/A

Term Length: N/A Statutory Authority: N/A

Salary: \$65,000 Predecessor: Phillip Fishburn

Statutory Requirements: N/A

BACKGROUND

1. List high school, college, or other education institution attended along with the date attended and degree conferred.

Education Institution	Dates	Degree
<u>University of Arkansas</u>	<u>May 1987</u>	<u>L.L.M. Agricultural Law</u>
<u>Washburn Univeristy</u>	<u>May 1986</u>	<u>Juris Doctor</u>
<u>St. Mary's of the Plains</u>	<u>May 1983</u>	<u>Bachelor of Arts</u>
<u>Fowler High School</u>	<u>1979</u>	<u>Diploma</u>

2. List memberships in business, trade and professional organizations for the past 10 years.

Organization	Dates
<u>Kansas Bar Association</u>	<u>1987-88, 1993-95</u>

3. List any public offices you have been elected or appointed to, along with the dates of service.

Office Held	Dates
<u>None</u>	

4. List any positions held with a foreign, federal or local government entity along with the dates of service.

Position	Government Entity	Dates
<u>Exec. Asst. to the Secretary</u>	<u>USDA</u>	<u>1991-93</u>
<u>Associate Minority Counsel</u>	<u>House Cmte on Ag</u>	<u>1989-91</u>

5. List any lobbying activities you have been involved in during the past five years. This includes activities as a registered lobbyist or lobbying activities for which you were compensated.

Group	Compensation (yes/no)	Dates
<u>Kansas Livestock Association</u>	<u>Yes</u>	<u>1993-95</u>

6. List experience or interests which qualify you for the position to which you have been appointed. I have a strong educational background and extensive professional experience in agriculture and regulatory work. In addition, I worked on my parents farm which gives me practical experience in the industry.

7. Summarize business and professional experience. see resume

8. List any service in the United States military. Include dates of service, branch, date and type of discharge.

Branch	Discharge	Dates
<u>none</u>		

9. Provide details of any arrest, charge or questioning by a federal, state or other law enforcement authority for violation of any federal, state, county or municipal law, regulation or ordinance (excluding traffic violations for which a fine of \$100 or less was imposed).

none

10. List and provide details of any interests that may present a conflict of interest for this position. none

I, Alice A. Devine, declare that this questionnaire is true, correct and complete to the best of my knowledge.

Alice A. Devine
Signature

2-23-75
Date

Alice A. Devine

Work Address:

Kansas Livestock Association
6031 S.W. 37th Street
Topeka, Kansas 66614
913-273-5115

Residence Address:

6117 S.W. 39th
Topeka, Kansas 66610
913-478-4217

PROFESSIONAL EXPERIENCE

Director of Research and Legal Affairs

1993-Present

Kansas Livestock Association
6031 S.W. 37th Street
Topeka, Kansas 66614

Responsibilities: I am responsible for reviewing and analyzing state and federal laws, regulations, or policies affecting the livestock industry and/or the agricultural community. I also respond to member questions and if necessary, refer members to an appropriate attorney. I also serve as general counsel for the association.

Executive Assistant to the Secretary

1991-1993

Office of the Secretary, Room 200A
United States Department of Agriculture
14th and Independence
Washington, D.C. 20250

Responsibilities: I was responsible for developing and coordinating policy and programs within the Department through the Under and Assistant Secretarial offices. Primarily, this entailed legal analytical reviews of proposed regulations, legislation, and testimony to assure that the designated policy was appropriately implemented.

I was also responsible for reviewing budgetary proposals to assure compliance with Departmental policy and the authorizing law. In addition, I served as liaison between the office of the Secretary, Congressional offices, and the White House on various Departmental issues ranging from constituent requests to changes in law, regulation, or policy. In the absence of the Chief of Staff, I served as Acting Chief of Staff.

Associate Minority Counsel

1989-1991

House Committee on Agriculture
1301 Longworth House Office Building
Washington, D.C. 20515

Responsibilities: I was one of two attorneys on the minority staff responsible for analyzing, and drafting legislation for Members of Congress and their staffs. During this period, the five year authorizing language for most of agriculture, the Food, Agriculture, Conservation, and Trade Act of 1990 (1990 Farm Bill) was passed.

I was responsible for issues related to the commodity programs, food assistance programs, forestry, conservation, research programs, credit, product promotion, grain quality, crop insurance, disaster assistance, rural development, climate change, and other minor issues within the Committee's jurisdiction.

Research Analyst

1987-1989

Kansas State Board of Agriculture
109 S.W. 9th
Topeka, Kansas 66612

Responsibilities: I was responsible for conducting legal and technical research on special projects for the Board of Agriculture. Such issues included legislation calling for contract fee hunting on private property; legislation regulating the use of pesticides in environmentally sensitive areas; crop disaster assistance programs; and vertically integrated corporate farming.

Legal Methods Instructor

1986-1987

University of Arkansas
School of Law, Waterman Hall
Fayetteville, Arkansas 72701

Responsibilities: In this position, I was responsible for teaching legal research and writing to thirty-five first year law students. I conducted weekly classes, reviewed student work, and issued grades.

Law Clerk

1984-1986

Randy L. Baird
Attorney at Law
1243 S. Topeka, Suite B
Topeka, Kansas 66612

Responsibilities: As law clerk for a general practitioner, I was responsible for preparing trial and appellate briefs, legal memorandum, interrogatories and other legal documents. I was also responsible for interviewing witnesses and conducting basic investigations.

Civil issues in which I was involved included insurance defense regarding civil rights violations; insurance defense regarding automobile accidents; collection of accounts; divorce and separation agreements; real estate transactions; wills and estates; workmen's compensation; and personal injury claims.

Criminal issues in which I was involved included prosecution and defense of homicides; assault and rape; illegal drug trafficking; civil disobedience; and driving under the influence of illegal drugs or alcohol.

Title Searcher

Summer 1984

Homestead Land & Title Company
Topeka, Kansas 66612

Responsibilities: I conducted title searches of county and state records for real estate transactions in preparation of issuance of title insurance.

EDUCATION

L.L.M., Agricultural Law, May, 1987
University of Arkansas, School of Law, Fayetteville, Arkansas 72701.

Juris Doctor, May, 1986
Washburn University, School of Law, Topeka, Kansas 66621.

Bachelor of Arts, May, 1983, English, Government, History
St. Mary's of the Plains College, Dodge City, Kansas 67801.

BAR MEMBERSHIP

Member of the Kansas Bar

APPOINTMENTS

Director Rural Telephone Bank Board 1991-1993

Member U.S. Delegation to the International Conference of Nutrition
August 1992

Member U.S. Congressional Staff Delegation to the Uruguay Round of
Negotiations of the General Agreement of Tariffs and Trade (GATT)
December 1991

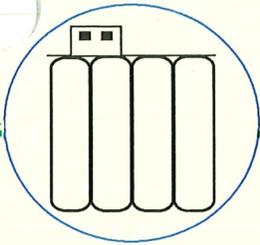
PUBLICATIONS

Devine, "An Overview of the Animal Rights Movement," 6
Agricultural Law Update 4 (1989).

S. Brownback and A. Devine, "Legal Aspects of Lease Hunting,"
1987 Telenet Conf., K.S.U. Ext. Serv. (1987).

Devine, "Understanding the Current Crisis with the ASCS," 9
J. Agric. Tax'n and Law 195 (1987).

References available upon request.



KANSAS GRAIN AND FEED ASSOCIATION

April 28, 1995

Senator David Corbin
Kansas State Senate
Topeka, KS 66612

Dear Senator Corbin:

The Kansas Grain and Feed Association (KGFA) and the Kansas Fertilizer and Chemical Association (KFCA) strongly support the confirmation of Allie Devine as Kansas Secretary of Agriculture.

She is extremely qualified and will provide the leadership at the Department that agriculture warrants as the states most important industry. It was evident from her opening statement to your committee in January that she has a firm grasp of agricultural law and thorough understanding of the regulatory nature of the Department and its mission. Since her first appearance, she has exhibited strong leadership and a vision for the future of the Department. These characteristics manifest themselves in her current regulatory review efforts and her style of leadership that brings together all stakeholders on such issues as endangered species, container recycling and the worker protection standard.

Further, she is respected by her peers in the Governor's cabinet as exhibited by her selection as point person for the Administration on the Private Property Rights Act of 1995. This respect bodes well for all of agriculture as we face futures issues such as pesticide use, water quality and tax modifications.

Thank you for this opportunity to express our support for Ms. Devine.

Sincerely,

Jamie Clover Adams
Vice President, Government Affairs

*Senate Ag Co
4-28-95
Attachment 2*