

MINUTES OF THE SENATE AGRICULTURE COMMITTEE

The meeting was called to order by Chairman Derek Schmidt at 8:30 a.m. on January 20, 2004 in Room 423-S of the Capitol.

All members were present.

Committee staff present:

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

Conferees appearing before the committee:

Justin Holstin - Propane Marketers Association of Kansas  
Amy VanHouse - Legislative Research Department  
Stephen Paige - former Kansas Department of Health & Environment employee  
Joe Connor - President, Kansas Association of Local Health Departments  
Sally Finney - Executive Director, Kansas Public Health Association, Inc.

Others attending:

See Attached List.

Justin Holstin appeared before the committee in order to request the introduction of a bill that would create the Kansas propane safety and registration act.

Senator Taddiken moved to introduce a bill that would create the Kansas propane safety and registration act as requested by Justin Holstin, seconded by Senator Umbarger. The motion carried.

Amy VanHouse presented to the committee a briefing on the differences between the approaches of **SB 296** and **ERO 32** with regard to the consolidation of food safety programs in Kansas. The main difference that she noted between the two was that the ERO does not call for the transfer of food service establishment regulation from KDHE, whereas the bill asks for the transfer of all food safety programs from KDHE to a newly-named Department of Agriculture and Food Safety. Another difference that she noted between the two was that the ERO calls for an effective date of October 1, 2004, whereas the bill formally creates a working group that would report back to the legislature by February 1, 2005, having composed an outline of specific duties. Furthermore, per the bill, the transfer of food safety programs would take place on July 1, 2005 (i.e., the beginning of fiscal year 2006). She concluded with a series of conclusions and recommendations made by the Special Committee on Agriculture (Attachment 1).

Stephen Paige expressed opposition to **ERO 32** by way of emphasizing the need to base food safety decisions on consumer health as opposed to economic interests. He stated that food safety programs should be housed solely in KDHE. His suggested alternative to the ERO was the establishment of a memorandum of understanding between KDHE and KDA (Attachment 2). He further mentioned the presence of strained communication between KDHE and KDA, as well as shortcomings in the food safety programs under KDA. He declined to state any specific examples of such claimed shortcomings.

Joe Connor expressed opposition to **ERO 32**, on behalf of KALHD (Kansas Association of Local Health Departments), by supporting the consolidation of food safety programs within KDHE, a department whose emphasis is on public health (Attachment 3). He further mentioned the possibility for poor communication, and thus poor response to local food safety issues, upon requiring the food safety programs of KDHE and KDA to coordinate.

Sally Finney testified before the committee in opposition to **ERO 32**. She noted the need to maintain the focus of KDA on production, while aligning food safety with KDHE, an agency whose focus is on public health (Attachment 4). She further stated the following as suggested options according to KPHA (Kansas Public Health Association):

- 1) Consolidate food safety programs under KDHE
- 2) Consolidate food safety programs under a separate agency with a public health mission
- 3) Remove the focus on production from the mission statement of KDA

The next meeting is scheduled for Wednesday, January 21, 2004.