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State of Kansas

Senate Chamber

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Testimony on S.B. 390
To
The Senate Federal and State Affairs Committee

February 21, 2012

Mr. Chairman and members of the committee, thank you for the opportunity to testify in support of Senate Bill 390. My primary reason for introducing this bill is to interject some ideas and initiatives to help expand the grape growing industry in Kansas. It was an amazing discovery when I found out that Kansas once had the third most acreage of vineyards in the nation at approximately 5,000 acres*. Granted, this was prior to prohibition and before the industry was virtually destroyed in Kansas, but it does clearly show that Kansas is ideal for this industry.

That being the case, we must ask why is it that we have only about 342 acres of vineyard grapes in Kansas today, while our neighbor to the east, Missouri has 1500 acres? According to the Kansas Grape and Wine Industry Advisory Council report which was given to the Senate Agriculture committee last month, it was reported that we had 299 acres in vineyards in 2007 and 3 years later we had only increased by 43 acres to 342**.

If we are serious about expanding certain forms of agriculture in Kansas – particularly on family farms - then we should perform some critical analysis as to why we have not been able to move the grape and wine industry forward much faster than it has grown over the past decade, and then follow that with some strategic planning that leverages the attributes we had, years ago, when there were 5,000 acres of vines in Kansas.

I don't at all suppose to be an expert on this topic, but I do have experience in leading an agriculture industry as the charter and former president of the 1000 member Kansas Dairy Association and co-founder of the Kansas Dairy Commission now have a unique interest in this industry because my son desires to move back to our 3rd generation family farm and start a small vineyard and winery using our old dairy facilities. He has run into a few challenges that lead me to this analysis;

I submit that there may be three reasons limiting our growth in this industry by rationing the entry of new vineyards and wineries in this state:

- First is that certain resident restrictions for starting wineries in Kansas have only recently been relaxed to foster their start-up.
- Second is that we have lost many acres due to spraying practices that have taken out vineyards through indirect drift spray of herbicides. My own neighbor lost over \$150,000 from drift that killed or damaged almost 40 acres of vines near Hays, Kansas. We need more definitive and enforceable regulations concerning certain sprays around vineyards.
- The third reason I believe is that we restrict winery start-up by requiring 60 % of the juice to come from Kansas grapes. While this works well to protect the price of grapes in Kansas, it is too restrictive for start-up wineries that are in the beginning stages of growing their own grapes and need immediate income to cover the first 3 years of cost.

I propose the following actions:

1. Review and expand regulations or procedures that will provide protection for vineyards from direct and indirect chemical sprays that destroy grapes and vines.
2. Allow start-up wineries (for Kansas residents) to obtain a waiver from the 60% Kansas grape rule for at least the first 3 years or until the vineyard is established or drop that requirement completely.
3. Promote and incentivize the initiation and expansion of grape growing in Kansas.

As we continue to explore the introduction and expansion of alternate agricultural crops in Kansas, we should put at least as much effort into a crop that has already proven its capacity to flourish at one time in Kansas. Mr. Chairman and committee members, that would be the grape and wine industry.

Thank you for your consideration. I will stand for questions at the appropriate time.

* According to the Kansas Viticulture and Farm Winery Association web site.

** According to the Report of the Kansas Grape and Wine Industry Advisory Council Report to the Standing Agriculture Committees of the Kansas Legislature February 2011.