

SESSION OF 2012

**CONFERENCE COMMITTEE REPORT BRIEF
HOUSE BILL NO. 2503**

As Agreed to March 29, 2012

Brief*

HB 2503 would make amendments to several boards and advisory bodies relating to agriculture. The bill also would make numerous technical changes to the existing statutes, resulting from the 2011 Executive Reorganization Order No. 40 (ERO No. 40), which transferred the Animal Health Department and the State Conservation Commission to the Kansas Department of Agriculture (KDA).

Agriculture-Related Advisory Boards and Advisory Bodies

The bill would modify current law with respect to the Kansas Agricultural Remediation Board to remove the requirement that members be subject to Senate confirmation.

Other amendments to the bill would modify the statutes relating to the Grape and Wine Industry Advisory Council and provide that there be no less than nine members. In addition, the Secretary of Agriculture, the Secretary of Wildlife, Parks and Tourism, and the Director of the State Alcoholic Beverage Control Division would be *ex officio* members on the Advisory Council. Further, the bill would require the KDA to provide administrative assistance to the Advisory Council until the Secretary of Agriculture determines the Council has the resources to provide its own staffing. Provisions relating to the Advisory Council would expire on July 1, 2016.

*Conference committee report briefs are prepared by the Legislative Research Department and do not express legislative intent. No summary is prepared when the report is an agreement to disagree. Conference committee report briefs may be accessed on the Internet at <http://www.kslegislature.org/kldr>

The bill also would rename the current Agriculture Products Development Advisory Board, as the Agriculture Marketing and Promotions Advisory Board. Members would be appointed by the Secretary of Agriculture rather than by the Governor. The Board would consist of not less than nine members and no more than 12 members who would represent various agricultural sectors outlined in the bill. The Board would elect its own chairperson, vice-chairperson, and any other officers.

Finally, the bill would repeal the Dairy Marketing Advisory Board, which had as its main duty the study and evaluation of the need for establishing a statewide milk marketing order.

Technical Changes to Existing Statutes

The bill would make numerous technical changes to the existing statutes which pertain to the previous Animal Health Department and the former Livestock Commissioner to conform to ERO No. 40, which transferred the Animal Health Department to the KDA and created the Division of Animal Health within the agency.

Similar changes would be made to the statutes relating to the previous State Conservation Commission, to conform to its transfer to the KDA and the creation of the Division of Conservation within the agency. Additional existing statutes would be amended to reflect the transfer of the prior Agriculture Marketing Division of the Department of Commerce to the KDA. The former Division is now known as the Agriculture Marketing and Promotions Program.

Conference Committee Action

The House concurred with the Senate amendments to HB 2503, which included technical changes to the bill's title and repealer sections. As it passed the Senate, HB 2503

includes changes to agriculture-related advisory boards and advisory bodies.

The Conference Committee agreed to add the contents of HB 2761, as it passed the House, to HB 2503. These contents incorporate changes to existing statutes based on the transfer of agency duties put forth by ERO No. 40.

Background

HB 2503 was introduced at the request of a spokesperson for the KDA.

At the House Committee hearing on the bill, proponents included a representative of the KDA; the Kansas Grain and Feed Association and the Kansas Agribusiness Retailer's Association; and the Kansas Cooperative Council. Written testimony in favor of the bill was provided by the Kansas Viticulture and Farm Winery Association. This testimony indicated concern with the sunset clause. A conferee representing the Kansas Livestock Association and the Kansas Dairy Association suggested the Committee consider the deletion of the Dairy Marketing Advisory Board.

The House Committee on Agriculture and Natural Resources amended the bill by adding language to allow the Secretary of Agriculture to determine when the Grape and Wine Industry Advisory Council has the appropriate resources to provide its own staffing. In addition, the Committee deleted the section of law contained in the bill which established the Dairy Marketing Advisory Board.

The Senate Committee on Agriculture amended the bill to include technical changes to the bill's title and repealer sections.

The fiscal note provided by the Division of the Budget indicates that passage of the bill in its original form would have no fiscal effect on state operations. An updated version

of the fiscal note including the House and Senate Committee amendments was not immediately available.

HB 2761 is a follow-up to the 2011 ERO No. 40 that became law July 1, 2011. ERO No. 40 transferred the Animal Health Department and the State Conservation Commission to the KDA. The ERO also transferred the Agriculture Products Development Division of the Department of Commerce to the KDA.

At the House Committee on Agriculture and Natural Resources hearing, a representative of the KDA presented testimony in favor of the bill. There was no neutral or opponent testimony.

The fiscal note on the bill indicates the legislation is a technical bill that would allow for the necessary updates related to ERO No. 40. The fiscal note indicates there would be no fiscal effect.

Department of Agriculture; Division of Animal Health; Division of Conservation

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