

Approved: March 9, 2010

Date

MINUTES OF THE HOUSE AGRICULTURE AND NATURAL RESOURCES COMMITTEE

The meeting was called to order by Chairman Larry Powell at 3:30 p.m. on March 2, 2010, in Room 783 of the Docking State Office Building.

All members were present except:

Representative Johnson - Excused

Committee staff present:

Jason Thompson, Office of the Revisor of Statutes - Excused

Daniel Yoza, Office of the Revisor of Statutes

Corey Carnahan, Kansas Legislative Research Department

Raney Gilliland, Kansas Legislative Research Department

Pat Matzek, Committee Assistant

Conferees appearing before the Committee:

Dick Koerth, Assistant Secretary for Administration, Kansas Department of Wildlife and Parks

Ron Hein, Kansas Restaurant and Hospitality Association

Constantine Cotsoradis, Deputy Secretary of Agriculture, Department of Agriculture

Leslie Kaufman, Executive Director, Kansas Cooperative Council

Mary Jane Stankiewicz, Kansas Agribusiness Retailers Association, and Kansas Grain and Feed Association

Others attending:

See attached list.

Chairman Powell opened the meeting with the hearing on **SB 396** - Laboratory equipment fund.

Raney Gilliland, Kansas Legislative Research Department, gave an explanation on **SB 396**, stating the bill came to this Committee from the Senate Committee on Ways and Means and provides a mechanism for the Department of Agriculture to gather funds for laboratory equipment by allowing the transfer at the end of the fiscal year of not more than 10% of the carryover balance in a series of fee funds. Those fee funds include the Dairy Fee Fund, Fertilizer Fee Fund, Pesticide Use Fee Fund, Agricultural Liming Materials Fee Fund, Petroleum Inspection Fee Fund, Meat and Poultry Inspection Fee Fund, Entomology Fee Fund, and the Weights and Measures Fee Fund.

Hearing on SB 396:

PROPOSERS:

Constantine Cotsoradis, Deputy Secretary of Agriculture, Department of Agriculture (KDA), spoke in favor of **SB 396** (Attachment 1), advising that this bill creates a source of funds that will be used for the acquisition, maintenance and replacement of equipment used in KDA's laboratory. Mr. Cotsoradis further stated the bill has three key points; it does not increase fees or establish new fees, it does not change how current fees are to be used, and the establishment of the laboratory fee fund is critical to insure vital analytical services are provided for regulatory purposes and for support of KDA's agricultural, manufacturing and service industries.

Leslie Kaufman, Executive Director, Kansas Cooperative Council (KCC), appeared as a proponent on **SB 396** (Attachment 2), stating the KCC represents agricultural, utility, credit, financial and consumer cooperatives, and believes members from those various cooperatives will benefit from the changes embodied in **SB 396** as it will allow the KDA to maintain a quality lab program, which is essential to so many of their regulatory functions.

Mary Jane Stankiewicz, Kansas Agribusiness Retailers Association, and Kansas Grain and Feed Association (Associations), presented testimony in favor of **SB 396** (Attachment 3), stating that establishing a fee fund will allow the KDA to maintain a quality lab operation since testing must be timely and is an essential regulatory component to the agency. Ms. Stankiewicz further added that this bill will allow for rapid response should there be equipment failure as this response is critical to the industry especially during harvest season. The Associations approve of including a cap of the amount in the fund as this will keep the fund at an

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CONTINUATION SHEET

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adequate level while allowing flexibility for it to be properly administered.

After questions were asked by members of the Committee, the hearing was closed on **SB 396**.

Chairman Powell then opened the hearing on **SB 380** - Establishing fees for wildlife and parks cabins.

Daniel Yoza, Office of the Revisor of Statutes, explained that **SB 380** would change existing law to allow the Secretary of Wildlife and Parks to directly set fees for the use of cabins owned or operated by the Kansas Department of Wildlife and Parks (KDWP). The maximum fees for use of KDWP cabins could not exceed \$250 per night, \$1,500 per week, or \$5,000 per month.

Hearing on SB 380:

PROPONENT:

Dick Koerth, Assistant Secretary for Administration, Kansas Department of Wildlife and Parks, testified in favor of **SB 380** (Attachment 4), advising this bill would give KDWP the flexibility to adjust, in a timely manner, the fees charged for the use of public cabins at various state parks and public lands. The KDWP currently has 75 cabins with an additional 23 planned for 2010. Mr. Koerth further added that the provisions of this bill would allow KDWP to obtain approval from the Kansas Wildlife and Parks Commission for fee changes after a public meeting to discuss any changes being considered by the KDWP and in addition, the fees to be approved could not exceed the maximums established within the bill.

NEUTRAL:

Ron Hein, legal counsel for the Kansas Restaurant and Hospitality Association (KRHA), presented neutral testimony on **SB 380** (Attachment 5), stating that although the KRHA does not question the ability of the state to determine what procedure the state utilizes in setting fees for state operations, the KRHA challenges the entire concept of the state operating businesses in competition with the private sector. The KRHA acknowledges that situations arise where government is trying to promote tourism and economic development, but due to a number of factors, the private sector is not able to facilitate development of the lodging facilities necessary to accomplish those goals.

After questions were asked by members of the Committee, the hearing was closed on **SB 380**.

On the Subcommittee meeting on **HB 2493**, Representative Meier will replace Representative Wetta, who is unable to attend.

The next meeting is scheduled for March 3, 2010.

The meeting was adjourned at 4:30 p.m.