



109 SW 9th Street, 4th Floor
Topeka, Kansas 66612-1280

Phone: (785) 296-3556
Fax: (785) 296-8389
Email: ksag@kda.ks.gov
www.ksda.gov

Dale A. Rodman, Secretary

Sam Brownback, Governor

**Testimony on Senate Bill 56
to
The Senate Agriculture Committee
By Kim Christiansen
Kansas Department of Agriculture
January 30, 2013**

Good morning, Chairman Love and members of the committee.

I am Kim Christiansen, chief legal counsel, with the Kansas Department of Agriculture, and I am here to express KDA's support of Senate Bill 56.

The Kansas Department of Agriculture supports this legislation to take that authority away from the secretary and give the board of county commissioners in each county the sole authority to recognize county fairs.

From 1929 to 1994, the Kansas State Board of Agriculture's charge was to provide "official recognition" to county fair associations and county free fairs that met the specified criteria in statute. To maintain a record of compliance, the board of agriculture required that officially recognized county fairs fill out an annual financial statement detailing assets and liabilities. The board also required that the county fairs send in documentation regarding the date of their annual meeting along with a list of officers representing each fair.

In 1994, the courts ruled that the structure of the board was unconstitutional and many of its powers and duties were transferred to the new Department of Agriculture. One of the responsibilities not assumed by the new department was the maintenance of a list of officially recognized county fairs. This duty was no longer performed because the agency had no reason to collect documentation relating to delegates to a board meeting that was extinct.

Since the changes as a result of the court's ruling in 1994, we feel that all formal recognition of county fairs should lie at the local level with the board of county commissioners in the respective fairs county.

I will answer questions at the appropriate time.

Senate Agriculture Committee

Date: 1-30-13

Attachment # 3-1

Kim Christiansen

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