

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 19, 2009, in Room 783 of the Docking State Office Building.

All members were present.

Committee staff present:

Mike Corrigan, Office of the Revisor of Statutes  
Corey Carnahan, Kansas Legislative Research Department  
Pat Matzek, Committee Assistant

Conferees appearing before the Committee:

Jessica Bowser, Rural Development and Outreach Coordinator, Department of Agriculture  
Mary Jane Stankiewicz, COO and Senior Vice President, Kansas Association of Ethanol Processors (KAEP)  
Brad Harrelson, State Director, Governmental Relations, Kansas Farm Bureau

Others attending:

See attached list.

Chairman Powell commenced the meeting with introduction of Brad Harrelson, State Director, Governmental Relations, Kansas Farm Bureau, who appeared as a proponent of **SCR 1610**, providing written testimony only, with a few brief comments.

**Hearing on:**

**SCR 1610 - Urging the Environmental Protection Agency to authorize use of higher blends of ethanol.**

**Proponents:**

Jessica Bowser, Rural Development and Outreach Coordinator, Department of Agriculture  
Mary Jane Stankiewicz, COO and Senior Vice President, Kansas Association of Ethanol Processors (KAEP)  
Brad Harrelson, State Director, Governmental Relations, Kansas Farm Bureau

Jessica Bowser, Rural Development and Outreach Coordinator, Department of Agriculture, (Attachment 1) spoke in favor of **SCR 1610**, stating it is critical to allow higher blends of ethanol into the nation's gasoline supply as requested in the bill. Higher blends of ethanol will reduce our consumption on foreign oil, assist the financially stressed ethanol plants and allow for the development of next generation technologies. Ms. Bowser further commented that the Department of Agriculture strongly supports this resolution because higher ethanol blends will boost the struggling ethanol industry, provide more green jobs and help the country meet the Renewable Fuels Standard.

Mary Jane Stankiewicz, COO and Senior Vice President, Kansas Association of Ethanol Processors (KAEP), (Attachment 2), appeared as a proponent of **SCR 1610**, documenting there is an estimated 400 people that are currently directly employed by the ethanol plants in Kansas. Further, these plants pay approximately \$3.2 million a year in taxes and generate a local payroll per plant of approximately \$1,700,000. Ms. Stankiewicz noted KAEP is asking support of this bill and encouraging the federal government to move quickly to approve mid-level blends because by increasing the amount of ethanol in our gas we reduce the dependence on foreign oil, increase jobs and improve the environment.

Written testimony:

Brad Harrelson, State Director, Governmental Relations, Kansas Farm Bureau (Attachment 3)

Questions were asked and comments were made by members of the Committee.

The hearing was closed on **SCR 1610**.

**Action on:**

CONTINUATION SHEET

Minutes of the House Agriculture and Natural Resources Committee at 3:30 p.m. on March 19, 2009, in Room 783 of the Docking State Office Building.

**SB 253 - Zoning amendments; protest petitions; mining operations; extraordinary vote not required.**

**SB 254 - Urban area counties; zoning amendments and conditional use permits; protest petitions, other; extraordinary vote not requires.**

Chairman Powell requested Mike Corrigan, Office of the Revisor of Statutes, to explain **SB 253** and **SB 254**.

Mr. Corrigan stated that **SB 253** addresses the issue of modifying zoning regulations in all cities and counties, and would exempt rezoning related to mining operations, subject to the Surface-Mining Land Conservation and Reclamation Act, from any super-majority vote requirement of the city or county governing body.

Mr. Corrigan explained **SB 254** addresses the issue of modifying zoning regulations in Johnson County's unincorporated areas. Further explanation states the bill would exempt rezoning related to mining operations, subject to the surface-Mining Land Conservation and Reclamation Act, from the super-majority vote requirement of the Board of County Commissioners.

Woody Moses, Kansas Aggregate Producers Association, and Brad Smoot, No to Annexation Coalition, also answered questions by members of the Committee.

**Representative Fund made a motion to remove the contents of SB 254 and insert with the language of SB 253. Representative Navinsky seconded the motion. By majority vote of the Committee, the motion was carried. Representative Fund made a motion to move the bill favorably out of the Committee. Representative Light seconded the motion. By majority vote of the Committee, the motion was carried.**

Representative Svaty voted no.

**Action on:**

**HB 2029 - Annexation procedures; deannexation, board of county commissioners duties, election required, when.**

**SB 51 - Clothing requirements while hunting deer or elk.**

Chairman Powell requested Mike Corrigan, Office of the Revisor of Statutes, to explain **HB 2029**, as amended by House Committee of the Whole.

Mr. Corrigan advised the bill would require a city proposing to annex land unilaterally to submit a copy of the city's plan, dealing with extending services to the area concerned, to the board of county commissioners at least 10 days prior to the required public hearing on the proposed annexation. Further explanation of the bill would modify current law dealing with the review process to determine whether municipal services were provided as stated in the relevant annexation plan by reducing the total time that must elapse before deannexation procedures might begin.

**Representative Fund made a motion to remove the contents of SB 51 and insert with the language of HB 2029 which passed out of the House minus Representative Mah's amendment, per the balloon (Attachment 4). Representative Moxley seconded the motion. By majority vote of the Committee, the motion was carried. Representative Fund made a motion to moved the bill favorably out of the Committee. Representative Svaty seconded the motion. By majority vote of the Committee, the motion was carried.**

**Action on:**

CONTINUATION SHEET

Minutes of the House Agriculture and Natural Resources Committee at 3:30 p.m. on March 19, 2009, in Room 783 of the Docking State Office Building.

**HB 2084 - Cities; annexation; strip annexations restricted.**

**SB 254 - Urban area counties; zoning amendments and conditional use permits; protest petitions, other; extraordinary vote not requires.**

A balloon was distributed to members of the Committee (Attachment 5) and explained by Mike Corrigan, Office of the Revisor of Statutes, stating that this amendment guts the provisions of **SB 254** and replaces them with provisions of **HB 2084** which pertains to strip annexation. The amendment prohibits the use of strip annexation on or after January 1, 2008. Representatives Wetta and DeGraaf sponsored **HB 2084**.

Representative Wetta made a motion to insert the contents of **HB 2084** into **SB 254**. The motion was seconded by Representative Brown. By majority vote of the Committee, the motion was carried. Representative Wetta made a motion to move the bill favorably out of the Committee. Representative Fund seconded the motion. By majority vote of the Committee, the motion was carried.

**Action on:**

**HB 2032 - Cities; annexation; deannexation procedures.**

**SB 204 - Secretary of agriculture, disposition of food safety and lodging moneys, food safety and lodging fee fund.**

A balloon was distributed to members of the Committee (Attachment 6) and explained by Mike Corrigan, Office of the Revisor of Statutes. This bill guts the provisions of **SB 204** and replaces those provisions of Section 1 of **HB 2032** as amended by the House ( Representative Mah annexation bill).

Representative Fund made a motion to remove the language out of SB 204 and insert the language of Section 1 of HB 2032. Representative Hineman seconded the motion. By majority vote of the Committee, the motion carried. Representative Fund made a motion to pass the bill out favorably, as amended. Representative Svaty seconded the motion. By majority vote of the Committee, the motion carried.

There are no additional meetings anticipated for this session.

The meeting was adjourned at 4:40 p.m.