

Approved January 30, 1986  
Date

MINUTES OF THE HOUSE COMMITTEE ON AGRICULTURE AND SMALL BUSINESS

The meeting was called to order by Representative Lloyd D. Polson at  
Chairperson

9:00 a.m./p.m. on January 22, 1986 in room 423-S of the Capitol.

All members were present except: Representative Solbach who was excused.

Committee staff present:

Raney Gilliland, Legislative Research Department  
Norman Furse, Revisor of Statutes' Office  
Mary Jane Holt, Committee Secretary

Conferees appearing before the committee:

Kenneth F. Kern, Executive Director, State Conservation Commission  
Dr. A. T. Kimmell, Livestock Commissioner, Animal Health Department

Kenneth F. Kern reviewed the soil and water conservation programs and the new proposals for 1986, Attachment I. In response to questions from the Committee, Mr. Kern explained the high priority cost-share program was set up to handle statewide rural flood management problems in each basin in the state. They identified conservation practices that would assist in solving those problems. He stated it is a water quality program through agriculture runoff and a water quality program through conservation. The State Conservation Commission pays up to 70% of the watershed-dam construction and 10% of the engineering, with a maximum of \$90,000. The local land owners in a number of the districts pay 10% of the construction, as well as donating the land.

Mr. Kern stated the proposed legislation will be submitted to the Energy and Natural Resources Committee.

Dr. A. T. Kimmell stated he has been Livestock Commissioner since the first of the year. Previously he was a state veterinarian for eight years in western Kansas. He reviewed the Animal Health Department. Dr. Kimmell said last year Kansas became a Class "A" Brucellosis state which means a state with 25% herd infection. He predicted by 1990 U.S.D.A. will be withdrawing funds to the states for brucellosis and tuberculosis except for surveillance and compliance.

Copies of proposed legislation to increase brand inspection fees from \$.25 per head to \$.50 a head and the reasons for the increase were distributed and are Attachment II.

The Chairman adjourned the meeting at 9:50 a.m.

The next meeting will be at 9:00 a.m., on Thursday, January 23, 1986 in Room 423-S.

GUEST REGISTER

DATE Jan. 22, 1986

HOUSE OF REPRESENTATIVES  
COMMITTEE ON AGRICULTURE AND SMALL BUSINESS

NAME

ORGANIZATION

ADDRESS

<u>NAME</u>	<u>ORGANIZATION</u>	<u>ADDRESS</u>
Kenneth Kern	State Conservation Commission	Topeka
Tracy Steeter	" " "	"
Leon Christenson	" " "	"
Lola Warner	" " "	"
Elmer Hansen	Farmer	Wathena
Lola Hanger	Farmer	Wathena
Phillip Berger	Farmer	Tracy
Ivan W Wyatt	Ks Farmers Union	M'Pherson
A.T. Kimball	Animal Health Dept	Topeka
Rich McKee	K. L. A.	Topeka
Judy Krueger	Intergovernmental Section	"
Kathy Peterson	Committee of KS Farm Organ.	Topeka
Bill Miller	Kansas Farm Bureau	Manhattan
Chris Wilson	KS Grain & Feed Ass'n	Hutchinson
<del>OKS V. Romero</del>	<del>KDON</del>	<del>Howards</del>



# State Conservation Commission

Telephone (913) 296-3600

109 S.W. 9th Street, Room 300

Topeka, Kansas 66612

PRESENTATION BY  
KENNETH F. KERN  
EXECUTIVE DIRECTOR

House Agriculture Committee  
Senate Agriculture Committee  
January 22, 1986

The State Conservation Commission appreciates the concerns and awareness the legislators have shown for soil and water conservation programs in Kansas.

1. The nine members of the State Conservation Commission are:

ELECTED

- Area I Robert McClellan, Palco - Chairman
- Area II Roy Seybert, Meade - Vice-Chairman
- Area III J. Jean Mettlen, Sylvan Grove
- Area IV J. Wendell Eggerman, Green
- Area V John Spurling, Fort Scott

EX-OFFICIO

- Dr. Walter Woods, Manhattan - Director, Agriculture Experiment Station, Kansas State University
- Dr. Fred Sobering, Manhattan - Director, Cooperative Extension Service, Kansas State University

APPOINTED

- Harland Priddle, Topeka - Secretary, State Board of Agriculture
- James Habiger, Salina - State Conservationist, Soil Conservation Service

2. The seven members of the staff are:

- Executive Director.....Kenneth F. Kern
- Program Administrator.....Lola Warner
- Conservation Coordinator...Leon Christenson
- Conservation Coordinator...Tracy Streeter
- Office Assistant.....Yolanda Pardee
- Clerk-Typist.....Mary Eddy
- Account Clerk.....Debbie Zimmerman

1/22/86 Hs. ASB  
*Attachment I*

3. State Water Plan:

- a. Continue to be actively involved in planning process with other state agencies, Kansas Water Office and Kansas Water Authority.
- b. Actively involved with the Conservation Districts, Watershed Districts and other municipalities in implementing new programs and administering the enhanced programs.
  - (1). Preparation of guidelines for the High Priority Cost-Share Program and Multipurpose Small Lakes Program.
  - (2). Amending or developing new administrative regulations for programs.
  - (3). Processing applications, payments and answering a multitude of questions on each program.
  - (4). Organizing and attending numerous meetings, workshops and planning sessions around the state and in Topeka.

4. Legislation:

a. Conservation District Law

- (1). Amended to authorize County Commissioners to provide additional funds for conservation district operations.
- (2). Increased special conservation mill levy from .5 mill or \$15,000 to 2 mills or \$55,000, whichever is less.

b. Watershed District Law

- (1). Amended by increasing taxing authority from 2 mills to 4 mills.
- (2). Requires a resolution and has a protest provision.

c. Multipurpose Small Lakes Program Act

- (1). Provided for state participation in flood control and either water supply storage or recreation, or both.
- (2). Set-up three classes of projects:
  - (a). Class I - Watershed district flood control project, new or renovation, that is eligible for state funds.
  - (b). Class II - Flood control project, new or renovation, eligible to receive or receiving federal funds.
  - (c). Class III - Projects, new or renovation, not eligible to receive state or federal funds.

5. Commission Programs:

a. Aid to Conservation Districts

- (1). Started in FY 1965.
- (2). State matches the first \$7,500 authorized by the County Commissioners.
- (3). FY 1986 appropriation - \$766,505.
- (4). Distributed as of January 1, 1986 - 99%.

b. Watershed Dam Construction

- (1). Cost-Share to assist in flood control (up to 70% for construction, 10% for engineering).
- (2). Funding started in FY 1977.
- (3). FY 1986 appropriation - \$1,000,000.
- (4). Provided for 21 new dams.
- (5). Completed as of January 1, 1986 - 14.
- (6). Requested but not funded in FY 1986 - 11 projects for a total of \$489,803.
- (7). Over 2,500 structures included in general plans of organized special purpose districts.
- (8). All funds are committed.

c. Water Resources Cost-Share Program

- (1). Started in FY 1981.
- (2). Conservation Districts establish county program, within state guidelines.
- (3). Allocation to conservation districts based upon 60% equal distribution and 40% based upon a point system utilizing criteria of water quality, water quantity and rural acres.
- (4). State enters into contract with landowners based upon conservation district recommendations.
- (5). Water quality and/or water quantity structures or enduring practices in state program:
  - (a). Terraces
  - (b). Diversions
  - (c). Grassed Waterways
  - (d). Pollution Abatement Systems
  - (e). Irrigation Pits

- (f). Irrigation Tailwater Recovery Pits
- (g). Livestock Wells, Pipeline and Tanks
- (h). Livestock Pits and Ponds
- (i). Critical Area Treatment (Grass Seeding)
- (j). Spring Development
- (k). Grade Stabilization Structures
- (l). Range Seeding
- (m). Underground Outlets
- (n). Water and Sediment Control Basins
- (6). Appropriation in FY 1986 - \$1,500,000.
- (7). Under contract - 86%.
- (8). Processed 1,289 applications.
- d. High Priority Cost-Share Program
  - (1). New program funded in FY 1986 with \$200,000.
  - (2). Allocation based up recommendation of High Priority Task Force.
  - (3). Addresses water quality and water quantity problems identified by major river basins.
  - (4). Conservation district established county program based upon the state basin programs.
  - (5). State Water Plan sections of management, conservation and quality provide framework for program.
  - (6). Future programs will be developed based upon Basin Advisory Committee's recommendations and other recommendations.
  - (7). Under contract - 95% of funds.
  - (8). Processed 225 applications.
- e. Multipurpose Small Lakes Program
  - (1). No funding for FY 1986.
  - (2). Administrative regulations developed.
  - (3). Three phases were defined:
    - (a). Phase I - Letter of Interest - To identify projects and determine if they may be eligible.
    - (b). Phase II - Letter of Intent- Detailed proposal with cost estimates. Reviewed by

state agencies and commission. If approved by commission, the proposed project will be a line item request in the commission's budget.

(c). Phase III - Application - Sponsor requests funds appropriated by the Legislature. State contract signed with the sponsor.

(4). Received seven Letters of Intent.

(5). Commission met with sponsors on January 7, 1986, and reviewed all proposed projects.

(6). Recommended three for possible funding in FY 1987.

(7). The remaining four were asked to work on the concerns expressed by reviewing agencies and the commission and to resubmit Letter of Intent.

6. New Proposals for 1986

a. State Water Plan section on Fish and Game recommends Riparian and Wetland Protection be handled by conservation districts.

(1). Administrative regulations to be developed by State Conservation Commission.

(2). Assistance from Fish and Game Commission, Department of Health and Environment, State and Extension Forestry and Kansas Biological Survey in developing regulations.

(3). Public input will be sought through public meetings and hearings.

b. State Water Plan Conservation Section recommends programs for agricultural and industrial water metering.

c. Considerations of transferring benefit area program below flood retarding structure from the Kansas Water Office to the State Conservation Commission.

REASONS FOR NEEDED INCREASE

1) There has been a 20% reduction of livestock marketing state wide through-out Kansas Livestock Markets in the last 5 years. Cost of brand inspection in the markets that require it, has now exceeded the 25¢ maximum.

2) Most all states that have brand inspection are charging more than Kansas:

Nebraska - 50¢

Montana - 35¢

New Mexico - 30¢

Nevada - 60¢

Oregon - 70¢

Washington - 45¢

Wyoming - 30¢

Colorado - \$25.00 for 5 years plus \$13.00 a year for ownership of a brand. Brand inspection fee is 20¢ per head.

1/22/86 H<sub>2</sub> ASB  
*Attachment II*



47-417a. Brand inspection; fees; disposition; livestock brand fee fund. (a)The livestock commissioner may, when brand inspectors or examiners are available, provide brand inspection. When brand inspection is requested and provided, the livestock commissioner shall charge and collect from the person making the request, a brand inspection fee of not to exceed ~~\$.25~~ \$.50 per head on cattle and \$.03 per head on sheep and other livestock. No inspection charge shall be made or collected at any licensed livestock market where brand inspection is otherwise available.

(b) The livestock commissioner shall remit all moneys received under the statutes contained in article 4 of chapter 47 of the Kansas Statutes Annotated and amendments thereto, except K.S.A.47-434 to 47-445, inclusive, and amendments thereto, to the state treasurer at least monthly. Upon receipt of any such remittance the state treasurer shall deposit the entire amount thereof in the state treasury and the same shall be credited to the livestock brand fee fund. All expenditures from such fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the livestock commissioner or by a person or persons designated by the commissioner.

47-437. Brand inspection; fees; collection; rules and regulations; increase or reduction in amount of fees; disposition of fees; county option brand fee fund. (a)The livestock commissioner shall charge and collect a fee of not to exceed ~~\$.25~~ \$.50 per head on all cattle and not to exceed \$.03 per head on all sheep inspected in brand inspection areas of the state. The livestock commissioner may, when brand inspectors are available, provide brand inspection in other areas where brand inspection is requested and the commissioner shall charge and collect inspection fees in the same manner as prescribed for the collection of such fees in brand inspection areas. The owner or seller of cattle or sheep inspected shall be responsible for the payment of the inspection fees and such fees shall be collected in such manner as the livestock commissioner shall prescribe or authorize by rule or regulation.

(b) Whenever the livestock commissioner shall determine that the fees collected pursuant to the provisions of this section are yielding more than is required for the purposes for which such fees were collected, the commissioner may reduce such fees for such period as the commissioner shall deem justified.

In the event the livestock commissioner, after reducing such fees, finds that sufficient revenues are not being produced by the reduced fees to properly administer and enforce this act and acts of which this section is amendatory or supplemental, the commissioner may increase such fees to such rate as will, in the commissioner's judgment, produce sufficient revenue for the purposes provided in this section, but not exceeding ~~\$.25~~ \$.50 per head on cattle and not to exceed \$.03 per head on sheep.

(c) The livestock commissioner shall remit all moneys received under K.S.A.47-434 to 47-445, inclusive, and amendments thereto to the state treasurer at least monthly. Upon receipt of any such remittance the state treasurer shall deposit the entire amount thereof in the state treasury and the same shall be credited to the county option brand fee fund, except any amounts received for brand inspection services of livestock outside of a county option area. All expenditures from such fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the livestock commissioner or by a person or persons designated by the commissioner. All amounts received for inspection of livestock outside of a county option area shall be deposited to the credit of the livestock brand fee fund.