

Approved January 23, 1986
Date

MINUTES OF THE Senate COMMITTEE ON Agriculture

The meeting was called to order by Senator Allen at
Chairperson

10:13 a.m. ~~XXX~~ on January 22, 1986 in room 423-S of the Capitol.

All members were present except: Senator Doyen (excused)

Committee staff present: Raney Gilliland, Research Department
Fred Carman, Revisor of Statutes Department

Conferees appearing before the committee: Dr. Allan Kimmell, Animal Health Department
Kenneth Kern, State Conservation Commission

Senator Allen called the Committee to order at 10:13 a.m. and ask for action on the Committee minutes for January 21. Senator Arasmith made a motion the minutes be approved. Senator Warren seconded the motion. Motion carried. The Chairman introduced and welcomed Dr. Allan Kimmell to the Committee.

Dr. Kimmell stated he was new on the job as he had been Livestock Commissioner only since January 1 of this year. He explained the Animal Health Department is governed by a board of six appointed members and the current President of the Kansas Livestock Association. The Department has 40 employees. The Department is involved with cooperative programs with the state of Kansas and the USDA. Dr. Kimmell said in 1984 Kansas moved from a Class B to Class A status because the number of cattle herds with tuberculosis is so low the state is considered to be tuberculosis free. He explained he felt some cattle arrive in our state with tuberculosis because the test at place of origin is not of good quality and therefore is not detected. He explained the disease brucellosis is hard to combat and there seems to be no money for trying to control the disease. Dr. Kimmell stated 80% of the budget of his Department is from user fees. He also said his Department would be asking for legislation to allow an increase in the fees charged for brand inspections (Attachment 1).

The Chairman thanked Dr. Kimmell and stated that the Committee looked forward to working with Dr. Kimmell and his Department. Then the Chairman introduced and welcomed Kenneth Kern, Executive Director, State Conservation Commission to review the activities of his Commission for the Committee.

Mr. Kern handed out copies of his testimony (Attachment 2). Mr. Kern explained water plans and budgets for the Committee. In answer to a question about the 1987 budget, Mr. Kern said they would be proposing a budget of just under \$2 million.

The Chairman thanked Mr. Kern for his presentation and told him the Committee looked forward to working with him in the future, and then adjourned the Committee at 11:00 a.m.

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.

attachment 1
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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.



State Conservation Commission

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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

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attachment 2

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.