

Approved _____
Date

MINUTES OF THE HOUSE COMMITTEE ON AGRICULTURE AND SMALL BUSINESS

The meeting was called to order by Representative Clifford V. Campbell at
Chairperson

9:01 a.m./~~p.m.~~ on February 24, 1987 in room 423-S of the Capitol.

All members were present except: Representatives Freeman, Goossen, Dean and
Teagarden, who were excused.

Committee staff present: Norman Furse, Revisor of Statutes Office
Raney Gilliland, Legislative Research Department
Pat Brunton, Committee Secretary

Conferees appearing before the committee: Bob Ott, State Representative, Kansas
Elizabeth Baker, State Representative, Kansas
Jim Newell, Wichita
John K. Strickler, Associate State Extension
Forester, Kansas State University, Manhattan
Richard Jones, Executive Director, Kansas
Association of Conservation Districts, Salina

Representative Ott appeared before the committee asking that no action be
taken on House Bill 2304 until he contacts the committee again.

Representative Elizabeth Baker, author of House Bill 2199, gave a brief
statement on the bill. She then introduced Jim Newell who testified in
favor of HB 2199.

John Strickler appeared before the committee expressing concerns about the
changes represented by HB 2199. He also stated that the Cooperative
Extension Service will continue to work to minimize any misuse of their
trees for landscape planting, Attachment I.

Richard Jones testified on House Bill 2199 stating the Kansas Association
of Conservation Districts does not feel this legislation is needed or will
improve the conservation tree planting program in operation now. He urged
that this bill not be passed, Attachment II.

The meeting adjourned at 9:47 a.m.

The next meeting of the House Agriculture and Small Business Committee will
be Wednesday, February 25, 1987, at 9:00 a.m. in Room 423-S.



Cooperative Extension Service

Department of Forestry
State and Extension Forestry
2610 Claflin Road
Manhattan, Kansas 66502
913-532-5752

February 24, 1987

TO: House Committee on Agriculture and Small Business
Clifford Campbell, Chairperson

FROM: John K. Strickler, Associate State Extension Forester *John K. Strickler*

RE: HB 2199 (amending powers and duties of the Office of Extension Forestry)

On behalf of State and Extension Forestry (Office of Extension Forestry), I want to express some concerns about the changes represented by HB 2199.

State and Extension Forestry has operated a conservation tree seedling program since 1957. In the thirty years since 1957, nearly 34 million tree and shrub seedlings have been distributed through this program for windbreaks, woodlots, wildlife, erosion control and Christmas trees. The program operates under the provisions of both state and federal laws. Its purpose is to provide low cost, relatively small tree and shrub planting stock for conservation plantings which generally require large numbers of plants. Except for our wildlife bundles, all of our bareroot seedlings are sold in minimum quantities of 50 of any one species and our containerized seedlings in minimum quantities of 30 of a single species.

The program is not intended to compete with private nurseries in providing planting stock for landscape plantings. I want to emphasize here that the seedling trees we sell are not the type of trees--either in size, or in many cases, the species--that people normally plant for landscaping purposes. Applicants are required to sign a statement on the application form stating that they are going to use these trees for specific conservation purposes. When talking with cooperators about ordering trees, we refer them to local or other private nurseries for their landscaping needs.

Because of a complaint last summer by a tree sale brokerage business in Wichita that our conservation tree seedling program was providing unfair competition, we have taken a close look at how our program operates in Sedgwick County. We met with the individual complaining and representatives of the Sedgwick County Extension Office and the Sedgwick County Conservation District to discuss his concerns. After that meeting,

KSU, County Extension Councils and U.S. Department of Agriculture Cooperating.

All educational programs and materials available without discrimination on the basis of race, color, national origin, sex, or handicap.

ATTACHMENT I
Feb. 24, 1987

field visits were made to several locations cited in the complaints. A random telephone survey (15 percent sample) was made of those ordering trees the past year from within Sedgwick County with special emphasis on those within the city of Wichita. A mail survey was made of every purchaser of our trees within Sedgwick County in the past year (527 individuals) with a 51.6 percent return. From all these studies, we determined:

- * A high degree of satisfaction with the conservation tree program, (95 percent of those returning the mailed questionnaire are satisfied).
- * While there are individual cases of abuse of the program intent, they are minimal compared to the number of trees planted for the conservation purposes intended.

To eliminate any abuses that might arise out of misunderstanding, we worked with the Sedgwick County Extension Office and Conservation District in instituting a separate form to be signed by all those ordering conservation seedlings within Sedgwick County. This form provides definitions of the types of conservation plantings intended for this program and an agreement to be signed that the seedlings will not be used for landscaping. After a trial test of this form in Sedgwick County this spring, we will expand use of this form to a statewide basis for the 1987 fall season.

We believe that this educational approach will be more effective than the prohibition of planting conservation seedlings within any incorporated city limits. For one thing, this would be virtually impossible to enforce. Many people with city addresses order seedlings for planting on land they own elsewhere. Also, as cities expand and take in more land area, there are many opportunities for conservation plantings such as windbreaks, wildlife habitat and erosion control within or on the edge of incorporated city limits. The need for conservation does not end at the city limits of Wichita, Topeka or any other incorporated city--large or small.

We will continue to work to minimize any misuse of our trees for landscape planting. A strong educational effort encouraging all types of tree planting can improve markets for landscape plants from private nurseries. We operate a Community Forestry Program that does just that.

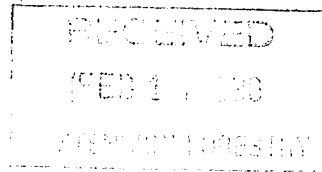
We believe the conservation tree seedling program has been a positive program for all Kansans.

JKS:skc



Cooperative Extension Service

Sedgwick County Extension Office
9000 West Central
Wichita, Kansas 67212
316-722-7721



"Taking the UNIVERSITY to the PEOPLE"

KSU, County Extension Councils and U.S. Department of Agriculture cooperating. All educational programs and materials available without discrimination on the basis of race, color, national origin, sex, or handicap.

Enclosed is your Application for Tree Seedlings.

Read the information on the tree application, fill out the tree application and enclosed agreement for nonlandscape use, and sign. If you have any questions, call 722-7721.

Make your check payable to KANSAS STATE FORESTER. After filling out the forms, remove the last sheet and keep for your records, mail the other three copies and agreement to:

SEDGWICK COUNTY EXTENSION OFFICE
9000 W. Central
Wichita, Kansas 67212

Sincerely,

Max B. Morris
Max B. Morris
County Extension Horticulture Agent

NOTICE:
PLEASE USE A TELEPHONE NUMBER WHERE WE
CAN REACH YOU BETWEEN 8:00 A.M. AND
5:00 P.M.

(cut here)

SIGN AND RETURN WITH ORDER - CERTIFICATION AS TO USE OF SEEDLINGS

Name _____ Order Number (official use only) _____

Address _____ City, State _____ Zip Code _____

Where will these plants be planted? (Legal description, street address or clear directions)

The seeds and seedlings offered through the Kansas Conservation Tree Planting Program may be used only for conservation purposes and not for landscape purposes. The following are approved conservation purposes:

- WINDBREAK - A windbreak is one or more rows of tree and/or shrub seedlings planted to protect from wind.
- WOODLOT - A woodlot is an area of land occupied by a stand of trees managed for the production of timber products.
- WILDLIFE PLANTING - A wildlife planting is a group of tree and/or shrub seedlings planted for the purpose of providing wildlife habitat.
- EROSION CONTROL PLANTING - An erosion control planting is a group of tree and/or shrub seedlings planted for the purpose of reducing soil erosion caused by water.
- CHRISTMAS TREE PLANTING - A Christmas tree planting is a group of tree seedlings planted for use as Christmas trees severed from the stump.

I agree that the seeds and/or seedlings that I will receive from the Kansas Conservation Tree Planting Program will be used only for the conservation purposes described above and that they will not be used for landscaping.

Signature _____

Date _____



Application for Conservation Tree Seedlings State and Extension Forestry

Spring 1987

Name _____

Address _____

Town _____ State _____ Zip code _____

Phone (daytime) (_____) _____
Area Code

Purchaser must sign agreement.

Agreement: I agree seedlings will be used for (check uses)

- windbreak woodlot erosion control
 wildlife Christmas trees

Signature

How to order: Tree seedlings may be used only for windbreaks, woodlots, erosion control plantings, wildlife plantings or Christmas tree plantings. The plants may not be used for landscaping.

Indicate number of units and price for items on the form below.

Delivery information: Orders for bare-root seedlings, stratified seeds and marking flags will be shipped to your address as soon after March 1 as weather permits. Orders for container-grown seedlings received before March 21 will be shipped to a location in your county in April. You will be notified when and where to pick up seedlings. Orders for container-grown seedlings received after March 21 will be shipped to your address.

Orders will be accepted through May 8. Order early to be sure of getting the items you want.

Please check box at bottom of form if you wish to pick up your order at the State and Extension Forestry office, 2610 Claflin Rd., Manhattan. You will not be notified when your order is ready.

Please call (913) 532-5752 before coming to be sure your order is ready.

Special rates: Orders of bare-root pine for 10 units or more of a kind are \$6.25 per 50. Orders of any container-grown species of 16 units or more of a kind are \$21 per 30.

Claims: Claims must be reported by July 1 of the current year.

Payment: Payment must accompany application. Make check payable to: **State and Extension Forestry**. No sales tax is required. Price includes freight.

Note: Signature required before order can be processed.

Office use
Order no. _____
Amt. due _____
Received \$ _____
Rec'd by/Date _____
Order no. _____

Mail white and canary copies to:
State and Extension Forestry
Kansas State University
2610 Claflin Road
Manhattan, Kansas 66502
Pink copy to County Extension Office
Goldenrod copy to purchaser

From
State and Extension Forestry
Kansas State University
2610 Claflin Road
Manhattan, Kansas 66502

Please type or print clearly.
Complete address required.

Shipping Address:

Name

Address

Town _____ State _____ Zip Code _____

County _____

Telephone (daytime) (_____) _____
Area Code

Bare-root plants			
\$12.50 per 50 of one kind. See special rate above for large pine orders.			
Shrubs	Unit	No. Units	Price
American plum	50		
Autumn olive	50		
Cotoneaster	50		
Fragrant sumac	50		
Honeysuckle	50		
Lilac	50		
Sand hill plum	50		
Evergreen trees	Unit	No. Units	Price
Austrian pine	50		
Ponderosa pine	50		
Scotch pine	50		
White pine	50		
Eastern redcedar	50		
Arborvitae	50		
Deciduous trees	Unit	No. Units	Price
Blacklocust	50		
Bur oak	50		
Cottonwood	50		
Green ash	50		
Hackberry	50		
Honeylocust	50		
Lacebark elm	50		
Pecan	50		
Redbud	50		
Russian olive	50		
Siberian elm	50		
Silver maple	50		
Black walnut	50		

Stratified seeds	Unit	No. Units	Price
\$6.50 per 100.			
Black walnut	100		
Pecan	100		
Container-grown plants	Unit	No. Units	Price
\$25 per 30. See special rate above for large orders.			
Austrian pine	30		
Scotch pine	30		
Ponderosa pine	30		
Eastern redcedar	30		
Rky. Mt. Juniper	30		
Wildlife bundles	Unit	No. Units	Price
\$31 per bundle (130 plants). Contains 5 hackberry and 25 each redcedar, honeysuckle, fragrant sumac, autumn olive, and choke cherry.			
Wildlife bundles	1		
Songbird bundles	Unit	No. Units	Price
Partially financed by Kansas Fish and Game Commission from contributions to Nongame Wildlife Checkoff on state income tax forms. \$9 per bundle. Contains 3 redcedar, 5 honeysuckle, 5 cotoneaster, 4 fragrant sumac, and 3 autumn olive.			
Songbird bundles	1		
Marking flags	Unit	No. Units	Price
\$6.50 per 100.			
Marking flags	100		
Total			

Live Trees—Perishable

Keep from Heat and Frost

Nursery License No. 5750

This is to certify that the nursery stock now being grown by Kansas State Extension Forester has been officially inspected and certified for sale in the state of Kansas.—State Entomologist.

I will pick up order in Manhattan.
Office hours: M-F, 8 a.m.—noon; 1-5 p.m.

HOUSE COMMITTEE ON AGRICULTURE AND SMALL BUSINESS

February 24, 1987

Testimony on House Bill No. 2199 - AN ACT relating to the office of extension forestry; powers and duties; amending K.S.A. 76-425d and repealing the existing section.

I am Richard Jones, Executive Director of the Kansas Association of Conservation Districts.

The Kansas Association of Conservation Districts represent the 105 local county conservation districts in Kansas. Conservation districts provide assistance to landowners and operators for the protection and improvement of their soil, water, plant and animal resources. Conservation districts are governed by a five member board of supervisors made up of local farmers and ranchers.

The Kansas Association of Conservation Districts does not feel this legislation is needed or will improve the conservation tree planting program in operation now; as the old saying goes, "if it's not broke, don't fix it".

Most conservation districts handle tree orders for the farmers and ranchers in their district. It would be very difficult, if not impossible, for them to check to see that each tree was planted outside of incorporated city limits.

Conservation districts agree that trees purchased from Extension Forestry should not be used for landscaping, but this bill seems to go well beyond this. In some of our smaller incorporated communities, this may be their most readily available source of trees for windbreak use and if they are on the edge of town on a large lot a windbreak would probably benefit a large part of the community. It would or could also fit well within a designed landscape plan. Also, many people with large lots (1-10 acres) in or on the edge of incorporated cities may be able to afford the minimal cost for trees for a windbreak from the Extension Forestry and have funds remaining for their more costly landscaping. If they have to pay landscaping prices for their windbreak, they more than likely won't be able to afford both and either the landscaping or more importantly the windbreak will be not be completed.

The Kansas Association of Conservation Districts thank you for the opportunity to provide testimony on this bill and urge it not be passed.