

Approved Gary Blumenthal Date

MINUTES OF THE House COMMITTEE ON Governmental Organization **MAR 17 1992**

The meeting was called to order by Rep. Gary Blumenthal at
Chairperson

9:05 a.m./~~p.m.~~ on March 3, 1992 in room 522-S of the Capitol.

All members were present except:

Representative Ruth Ann Hackler, excused
Representative Franklin Weimer, excused

Committee staff present:

Carolyn Rampey, Legislative Research Department
Avis Swartzman, Revisor of Statutes
Nita Shively, Committee Secretary

Conferees appearing before the committee:

Gene Gleason, Kansas Square Dancers Association
Jody Temple, Treasurer, Kansas Square Dancers Association
Senator David Webb
Senator Ross Doyen
Scott Andrews, Sierra Club
Shaun McGrath, Kansas Natural Resource Council
Don Jacka, Assistant Secretary, Board of Agriculture
Joyce Wolf, Kansas Audubon Council

Chairman Blumenthal called the meeting to order when quorum was present.

Hearing on SB 554 - Designating the square dance as the official state folk dance.

Senator Webb testified in support of SB 554. He advised that he comes from a long line of square dancers and would like to see it designated as official folk dance.

Senator Doyen, sponsor of this bill, spoke briefly in support of SB 554. He feels that square dancing is extremely helpful in promoting the state and in generating higher tourism. Dance exhibitions, and other square dance activities, attract people from all over the country.

Gene Gleason spoke in support of SB 554. His testimony included a brief history of square dancing, pointing out that it was brought to America in the 17th century. Square dancing was popular on the Kansas frontier, helping people cope with the rigors of life during that period.

There are currently many square dancing groups, along with numerous variations of square dancing. Dancers are from all different occupations, ages and walks of life. The health benefits of square dancing was also mentioned. Mr. Gleason concluded his testimony by introducing members of his group, who accompanied him today, to the committee.

Jody Temple appeared in support of SB 554, describing one of the programs sponsored by the Square Dancers Association--"handicapable" dancers. This group includes individuals in wheelchairs, blind and developmentally disabled. All are afforded the benefits of social interaction and recreation.

Hearing closed on SB 554.

Hearing on HB 3093 - An act concerning the Kansas sunset law; subjecting the state board of agriculture and the office of secretary of the state board of agriculture to the provisions thereof.

Scott Andrews appeared in support of HB 3093, furnishing written testimony, (Attachment 1). Mr. Andrews argued that the Board of Agriculture

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Governmental Organization,
room 522-S Statehouse, at 9:05 a.m./p.m. on March 3, 1992

should not be excluded from sunset review. Since the Board is in a position to both regulate and promote the industry, there is a conflict of interest.

In addition, Mr. Andrews proposed an amendment to change the date of the sunset to 2 years rather than 8. The Water Office, Water Authority and the Division of Water Resources are also scheduled for review in 2 years. It would be an excellent opportunity to consider the option of combining all of these.

Shaun McGrath appeared as a proponent of HB 3093. He described how the Board of Agriculture has expanded over the years, the many divisions assigned to them and the sizeable budget. He argued that an agency of that size and magnitude should be subject to legislative oversight.

Chair recognized Don Jacka, who testified on HB 3093, furnishing written testimony, (Attachment 2). Mr. Jacka indicated that the Board of Agriculture is taking a neutral position on HB 3093 since it hasn't had the opportunity to establish a position.

The Board of Agriculture underwent a complete re-organization in the 1980's which resulted in a more efficient, responsible and manageable agency. Numerous innovations, resulting in higher efficiency, were listed. Various audits indicated no major audit exceptions and only a few minor problems.

There was an extensive question and answer period with considerable discussion as to whether it would be preferable to have the Board of Agriculture under SB 471, K-GOAL bill.

Joyce Wolf appeared as a proponent of HB 3093. Although the Council she represents favors the Department of Agriculture included in SB 471-K-GOAL, they do, however, support the concept of this bill. An agency receiving significant funds should undergo some form of review.

Hearing closed on HB 3093.

Meeting adjourned at 10:05 a.m.



SIERRA CLUB

Kansas Chapter

Scott Andrews 273-3217

Testimony to House Governmental Organization on
HB 3093 - Sunset Review for Board of Agriculture

The Kansas Chapter of the Sierra Club supports passage of HB 3093. Most state agencies are subject to legislative review via the Sunset Law. The Board of Agriculture is not.

Most state agencies are responsible to the Governor or her appointee, or to an official elected by the people of Kansas. The Board of Agriculture is not. The Board of Agriculture is instead responsible to various agricultural groups which select delegates to an annual meeting where they vote on the 12 members of the Board. The Board members then can select a Secretary of Agriculture. Now, no matter how honest or fair these people are, there is an inherent conflict of interest. The system makes them responsible to the agriculture industry they are supposed to regulate. It is rather like if Exxon and Vulcan, no matter how good of corporate citizens they may be, got to select the head of EPA. Such a system may have worked for the Board of Agriculture when it was existed simply to run the state fair and promote Kansas Agricultural goods. The Board's responsibility has however grown to include such things as the regulation of water resources and of pesticides. At the same time that they regulate their own industry they are still charged with promoting and marketing it -- here too is a conflict of mission.

The Board of Agriculture needs to be reformed, or at least reviewed for reorganization. However, at this time, the Board is not subject to review under the Sunset Law. It is time to begin this process of reformation, of bringing the Board of Agriculture into the same system of checks and balances under which the rest of government operates.

The Kansas Chapter of the Sierra Club urges this committee to report HB 3093 favorable for passage.

g O. 3-3-92
attachment 1

Proposed Amendment to HB 3093:

New Section 2. Line 13 -- July 1, ~~2000~~ 1994.

Since the Board of Agriculture has never had a Sunset Review it would seem to be long overdue. Why wait eight more years? In 1994 the Water Office and Water Authority are up for Sunset Review. By reviewing the Board of Agriculture the same year it would make it easier for the legislature to explore the option of combining of the Water Office, Water Authority and the Division of Water Resources.

g o 3-3-92
attachment 1-2

TESTIMONY

HOUSE BILL 3093

Mr. Chairman, Members of the House Committee on Governmental Organization, my name is Don Jacka. I am the Assistant Secretary of Agriculture, here before your Committee to share comments from Secretary Brownback and the State Board of Agriculture on House Bill 3093.

House Bill 3093 would place the Kansas State Board of Agriculture under the provisions of the Kansas Sunset Law. According to this bill such sunset review would first be conducted prior to July 1, 2000.

The Kansas State Board of Agriculture has had a long history, since 1872, of providing **effective** and **efficient** service to the citizens of Kansas. Although this agency pre-dates a vast majority of other state agencies, its internal organization has been dynamic, effective, and responsive to the people of Kansas. The internal review of the effectiveness of the regulatory and agricultural market promotion programs administered by the State Board of Agriculture is an on-going process, conducted internally, with a constant benchmark to the changing agricultural technology, methods of agriculture, and needs of Kansas consumers and farmers throughout the State.

The Kansas State Board of Agriculture, for the past ten years, has been very involved in implementing all aspects of **efficiency** and **economy** in agency operations, while at the same time attempting to improve upon the **efficacy** of the services performed. In the early 1980's, much thought was involved in the organization of this agency. Prior to that time, the various functions of regulatory, service and marketing existed as independent entities, very specialized in program implementation. There were nine separate divisions, each with a separate field and clerical staff; each with a separate director; and, each serving its own specialized sector of the agricultural industry. The nine previous divisions of the State Board of Agriculture were reorganized into six organizational entities: Central Administrative Services; Division of Inspections; Division of Plant Health; Division of Water Resources; Division of Marketing; and the Division of Statistics. These internally reorganized entities combined like functions and created efficiencies in the trimming of organizational hierarchy and support services through the internal consolidation of activities. The efficiencies incurred in these early reorganizations and consolidations of services not only established cost savings initially, but also created an organization which would be small enough to be manageable and responsive; yet large enough to effect savings in the merging of duties relative to like functions.

The Kansas State Board of Agriculture has also been responsible for many innovations in efficiency over the years such as: Privatization of regulatory functions; variable frequency inspection; cross-utilization of employees; and project oriented staffing ("gang-tackling"); to name just a few.

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attachment 2

The internal reorganizations of the early 1980's and the subsequent efficiency innovations have established a much leaner more comprehensive and functionally based organization which found much efficiency and effectiveness in the implementation of various management innovations.

I mention the above history of internal review, structural adaptation, and efficiency innovation conducted by the State Board of Agriculture to highlight the fact that, although this agency maintains a long history of service to the citizens of Kansas, this state agency operates under constant internal review of effectiveness and efficiency to achieve efficacy of program delivery. During the same time period mentioned above, and before, the State Board of Agriculture has been reviewed by the Legislative Post Audit Division, federal EPA and various branches of federal USDA, on numerous occasions with few exceptions cited, and no major audit exceptions occurring.

The Board of Agriculture is administered upon the principles of efficiency and effectiveness.

The Kansas State Board of Agriculture feels strongly about the need for a responsive yet efficiently and effectively implemented agency, but has not yet had the opportunity to establish a position on House Bill 3093.

Thank you, Mr. Chairman and Members of the House Governmental Organization Committee, I stand prepared for your questions.

J. O. 3-3-92
Attachment 2-2