

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 February 3, 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
Raney Gilliland, Kansas Legislative Research Department
Pat Matzek, Committee Assistant

Conferees appearing before the Committee:

Constantine Cotsoradis, Deputy Secretary of Agriculture, Department of Agriculture
Mary Jane Stankiewicz, COO and Senior Vice President of Government Affairs, Kansas Grain and Feed Association
John Donley, Assistant General Counsel, Kansas Livestock Association
Brad Harrelson, State Director, Governmental Relations, Kansas Farm Bureau
George Blush, Dairy Program Manager, Department of Agriculture

Others attending:

See attached list.

Chairman Powell opened the meeting making reference to K.S.A. 74-555, a report on the Dairy Marketing Advisory Board, which was distributed as information to Committee members.

Chairman Powell introduced Constantine Cotsoradis, Deputy Secretary of Agriculture, Department of Agriculture, to begin opening testimony on **HB 2063**.

Hearing on:

HB 2063 - Adjusting fees imposed by the secretary of agriculture for weights and measures services.

Proponent:

Constantine Cotsoradis, Deputy Secretary of Agriculture, Department of Agriculture, spoke in support of **HB 2063**, (Attachment 1) documenting that The Kansas Dairy Marketing Advisory Board does not see a need to establish a statewide milk marketing order. The Board respectfully recommends to the Kansas Legislature that it continue to monitor issues and their impact on production practices and the milk price paid to the Kansas dairy industry. In a brief overview, Mr. Costoradis stated that sunset fees from service company licenses are scheduled to sunset July 1, 2010, and if the fees are allowed to sunset, there would be a loss of \$6,000 in revenue.

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

Neutral:

Mary Jane Stankiewicz, COO and Senior Vice President of Government Affairs, Kansas Grain and Feed Association (KGFA), (Attachment 2) presented testimony stating that the weights and measures fees have not been raised for the past decade but do not have sufficient feedback from its members at this time to support the bill and are appearing as neutral on the changes in **HB 2063**.

No questions were asked or comments made.

CONTINUATION SHEET

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

Opponents:

Brad Harrelson, State Director, Governmental Relations, Kansas Farm Bureau (KFB), (Attachment 3) provided testimony in opposition of **HB 2063**, and stated user fees in reasonable amounts are appropriate. The majority of the funding should come from State general funds; therefore, KFB is opposed to fee increases proposed in this bill.

No questions were asked or comments made.

The hearing was closed on **HB 2063**.

Hearing on:

HB 2081 - Fixing fees charged by the secretary of agriculture for milk and dairy products.

Proponent:

Constantine Cotsoradis, Deputy Secretary of Agriculture, Department of Agriculture (Department), spoke in support of **HB 2081**, (Attachment 4) documenting the bill removes the sunset on dairy fees. It also increases some fees, but only to the level needed to sustain the program. The dairy inspection program is necessary to protect public health and to ensure that Kansas dairies can continue to ship their product out of state. Revoking the fee sunset and providing the modest fee increase and other provisions in the bill will ensure that the Department continue to provide valuable services.

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

George Blush, Dairy Program Manager, Department of Agriculture, also provided information to members of the Committee.

Opponents:

John Donley, Assistant General Counsel, Kansas Livestock Association (KLA), spoke in opposition of **HB 2081**, (Attachment 5) specifically Section 3 of the proposed legislation. KLA is supportive of the work that is conducted by the Kansas Department of Agriculture as it relates to the dairy inspection program. However, there is potential to make improvements to the current inspection process in lieu of a fee increase. If a fee increase is determined to be necessary, KLA feels that the fees should be restructured to more accurately reflect the work that is done by the Department.

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

Brad Harrelson, State Director, Governmental Relations, Kansas Farm Bureau, (Attachment 6) presented testimony in opposition of **HB 2081**, stating KFB is unable to support user fee increases that are exorbitant (in some cases a 50 % increase) simply as a means to fund programs during budgetary and fiscal shortfalls.

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

The hearing was closed on **HB 2081**.

Action on HB 2049:

HB 2049 - Hunter safety orientation programs in schools.

A balloon amendment (Attachment 7) was distributed on **HB 2049**. Representative Light made a motion to adopt the amendment. Representative Fund seconded the motion. The balloon amendment was adopted.

CONTINUATION SHEET

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

Representative Lukert made a motion to offer an amendment on Line 11 on the second page, where it states "certified instructor" to insert "volunteer" so it would read "volunteer certified instructor". Representative Johnson seconded the motion. On majority vote of the Committee, the amendment was adopted.

Representative Svaty made a motion to table the bill. Representative Johnson seconded the motion. On majority vote of the Committee, **HB 2049** was tabled.

The next meeting is scheduled for February 9, 2009.

The meeting was adjourned at 5:15 p.m.

AG. & NATURAL RESOURCES COMMITTEE GUEST LIST

DATE: 2-3-09

NAME	REPRESENTING
George Blush	KDA
Tim Tyson	KDA
John Donley	KS Cnst. Assn
Erik Wisner	KDA
BRAD HARRELSON	KFB
Tom Bruno	KS Dairy Assn.
CJ Coradis	KDA
Jessica Bremer	Sen. Ostmeyer
Mary Jane Starkiewicz	KGFA
Eugene Keck	Hein Law Firm
Steve Swatter	KFB

**Testimony on HB 2063 to
House Agriculture and Natural Resources Committee**

**by Constantine V. Cotsoradis
Deputy Secretary
Kansas Department of Agriculture**

February 3, 2009

Good afternoon, Chairman Powell and members of the committee. I am Constantine Cotsoradis, deputy secretary of agriculture, and I am here in support of House Bill 2063.

HB 2063 is needed to maintain current services in our department's Weights and Measures program metrology laboratory. The metrology laboratory is certified by the U.S. Department of Commerce's National Institute of Standards and Technology (NIST), and it provides certification and traceability to national standards at NIST.

Certified standards are used to calibrate scales and meters. This calibration is performed by licensed service companies to ensure that scales used in commercial transactions are accurate. For example, scales at grain elevators are used to buy grain and to calculate dockage. Therefore, accuracy is crucial. Volumetric standards are used to ensure that gas pumps, terminal petroleum meters and other measuring devices are accurate when they dispense products sold by volume.

Certified standards are also used by industry in manufacturing chemicals, pharmaceuticals, aircraft and other products. Certified standards are important quality-control tools, and they may even be required to meet ISO standards and accreditation by certain companies.

Our metrology laboratory is important to commerce. Through the national system of standard certification, business, industry, government and consumers can be assured that a pound in New York is a pound in Kansas and a pound in California. Without this national system of standard certification, both national and international trade would be compromised.

Following is an overview of the changes proposed by this bill.

- **Remove sunset amounts from service company licenses.** Currently, fees for service company licenses are scheduled to sunset July 1, 2010. If these fees are allowed to sunset, it will result in \$6,000 in lost revenue. These fees help cover the cost of training we provide to private service company employees who must have continuing education to obtain or renew a license.

- **Increase metrology laboratory fees.** The metrology laboratory is responsible for certifying mass and volumetric standards used to certify commercial weighing measuring devices, and also by industry for quality control and manufacturing.

The current \$50 per hour fee was established in 1990, and it is well below the hourly rates charged by other Midwestern states. Nebraska charges \$80 an hour, South Dakota \$79 and Wisconsin \$100. We propose raising the fee to \$70 an hour, which will increase program revenue by about \$22,000 per year.

- The bill includes several technical amendments that are needed to delete archaic and redundant language.

I will answer questions at the appropriate time.



Kansas Grain & Feed Association

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HB 2063 – Adjusting Fees for Weights and Measures House Agriculture and Natural Resources Committee February 3, 2009

Good afternoon Chairman Powell and members of the House Agriculture and Natural Resources Committee. I am Mary Jane Stankiewicz, COO and Senior Vice President of Government Affairs for the Kansas Grain and Feed Association (KGFA). The KGFA is a voluntary state association with a membership encompassing the entire spectrum of the grain receiving, storage, processing and shipping industry in the state of Kansas. KGFA's membership includes approximately 900 Kansas business locations and represents 98% of the commercially licensed grain storage in the state.

KGFA members utilize the metrology services to test their head house scales, which are the scales that sit at the top of elevator. Because accuracy of these scales is so important to our members we are supportive of having a credible and reliable weights and measures program within the Kansas Department of Agriculture. We understand that these fees have not been raised for the past decade and thus the fee is probably reasonable. However, due to the quick notice regarding this hearing we have not been able to receive sufficient feedback from our members at this time to support the bill, thus we appear as neutral on the changes in this bill.

I appreciate the ability to submit this testimony today and would be glad to answer any questions you may have about this issue.

PUBLIC POLICY STATEMENT

HOUSE COMMITTEE ON AGRICULTURE and NATURAL
RESOURCES

RE: HB No. 2063, 2081, 2121 – acts relating to certain fees fixed
by the Secretary of Agriculture.

February 3, 2009
Topeka, Kansas

Testimony provided by:
Brad Harrelson
State Policy Director
KFB Governmental Relations

Chairman Powell, and members of the House Committee on Agriculture and Natural Resources, thank you for the opportunity to appear before you today. I am Brad Harrelson, State Policy Director—Governmental Relations for Kansas Farm Bureau. KFB is the state's largest general farm organization representing more than 40,000 farm and ranch families through our 105 county Farm Bureau Associations.

Kansas Farm Bureau is supportive of the Kansas Department of Agriculture and believes the agency should be a strong and vigorous advocate for production agriculture. Furthermore, we understand the need for effective regulatory programs provided primarily for the protection of the general public. Because the citizens of Kansas are beneficiaries of these regulatory programs it is appropriate that significant funding should come from state general funds.

Kansas farmers and ranchers also acknowledge that the industry shares a partnership role with the department in the administration of the programs being considered under this proposed legislation. As such, they are willing to accept some reasonable user fees.

However, we are unable to support user fee increases that are exorbitant (in some cases 50% increases) simply as a means to fund programs during budgetary and fiscal shortfalls. Clearly the state has an interest and an obligation to support these programs. Additionally, we have been unable to identify any significant increase in the level of services that would accompany these increases. We encourage the legislature to recognize the importance of production agriculture and prioritize Kansas Department of Agriculture programs and increase SGF funding so it can effectively meet their statutory requirements.

The proposals in HB 2063, 2081 and 2121 are not only excessive, but they could not come at a worse time. Everyone is aware of the impacts of these trying economic times. But no one is more aware of just how expensive it is to do business than those in agriculture. Input and operating expenses have skyrocketed and been so volatile that making good business decisions has become nearly impossible to do. It has been suggested that these increases will have limited impact on individual producers. That opinion is not shared by many of our members who actually pay the bills, especially some dairy producers that would, in certain cases, be required to pay thousands of dollars more on an annual basis.

It is for these reasons, Kansas Farm Bureau respectfully urges your recommendation to not pass favorably HB 2063, 2081 and 2121. Thank you, once again, for the opportunity to appear before you and share the policy of our members. KFB stands ready to assist you as you consider this important measure. Thank you.

**Testimony on HB 2081 to
House Agriculture and Natural Resource Committee**

**by Constantine V. Cotsoradis
Deputy Secretary
Kansas Department of Agriculture**

February 3, 2009

Good afternoon, Chairman Powell and members of the committee. I am Constantine Cotsoradis, deputy secretary of agriculture, and I am here in support of House Bill 2081.

This bill supports our Dairy Inspection program, which protects public health, helps Kansas maintain its standing in the interstate milk shippers program and promotes growth in the dairy industry. HB 2081 removes the sunset on dairy fees. It also increases some fees, but only to the level needed to sustain the program.

The sunset was put into statute in 2002, when we sought a fee increase to counter declining state general fund contributions to the program budget. It was added to put a time limit on the fee increase with the intent of someday replacing fees with state general funds. That has not happened, nor is it expected to happen any time in the future. We need to make sure this program is adequately funded to meet its core consumer protection mission and to help support our state's growing dairy industry.

Dairy inspections include a wide range of food safety checks to protect the public and to assure consumers that the products they purchase are safe and wholesome. The program adopts into its regulations the Pasteurized Milk Ordinance, which is the enforcement document agreed to by all states and FDA. The PMO requirements are enforced so that dairy farms and milk processing plants, no matter their size, produce a dairy product that the public can consume with confidence knowing that it was produced, processed, transported and marketed with their health and safety in mind. This uniform inspection allows milk to move freely in interstate commerce under the Interstate Milk Shippers agreement between the states, FDA and the dairy industry.

We conducted an extensive program analysis to determine which fees needed to be increased, and by how much, to sustain the program. We ask for a cap of \$0.02 per hundredweight, but we do not intend to increase it to that amount. We have committed to the dairy association that we will set the fee at \$0.0175 per hundredweight and only raise it to the cap if it's absolutely necessary. The quarter cent increase will generate approximately \$55,000 in revenue annually.

One reason it could become necessary to raise the fee to the cap would be due to the continued growth of the dairy industry. It is a very real possibility that new, large dairies will locate in Kansas. We also see other niche markets developing. We have seen an increase of on-farm dairy processing plants and in Amish cow and goat dairies in southeast Kansas.

If the dairies were to begin operating, we would need to increase the fees for a period of time to add staff and equipment to be able to adequately inspect the new operations. However, once the dairy became operational, it should generate enough revenue that we would be able to lower the fee. That is why we seek the authority to lower our dairy fees. We do not want to generate more than necessary to operate the program.

It is important to point out that basing the fee on production is a longstanding practice that we believe treats dairies equitably. While it is true that a large dairy pays more fees than a small dairy for essentially the same services, the production and revenue of that larger dairy is correspondingly higher. To assess the fee based solely on a time-cost analysis would be regressive, and it could put our small dairies out of business.

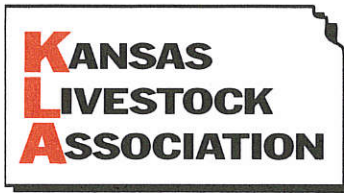
The state and this department have invested in promoting small business and maintaining the viability of rural Kansas. We have considered other fee structures, but we continue with the current one because it provides adequate funding for the inspection program without being overly burdensome on any one segment of industry.

This bill also proposes a new fee for milk tanker wash stations. Currently, wash stations register with the department and are inspected based on the PMO, but they do not pay a fee. The inspection requirements are similar to those at transfer and receiving stations, which we assess a \$65 fee, so we propose charging a \$65 fee for milk tanker wash stations.

We also seek to amend the law to allow out-of-state distributors to remit fees quarterly instead of monthly. The change would decrease the regulatory burden for these businesses and decrease paperwork and receipting done by our staff. There are no fee changes associated with this proposal.

To summarize, the dairy inspection program is necessary to protect public health and to ensure that Kansas dairies can continue to ship their product out of state. Revoking the fee sunset and providing the modest fee increase and other provisions in the bill will ensure that we continue to provide these valuable services.

I will answer questions at the appropriate time.



Since 1894

TESTIMONY

To: House Agriculture and Natural Resources Committee
Representative Larry Powell, Chairman

From: John Donley, Assistant General Counsel

Date: February 3, 2009

Re: HB 2081 – Fixing fees charged by the secretary of agriculture for milk and dairy products

The Kansas Livestock Association (KLA), formed in 1894, is a trade association representing over 5,000 members on legislative and regulatory issues. KLA members are involved in many aspects of the livestock industry, including seed stock, cow-calf and stocker production, cattle feeding, dairy production, grazing land management and diversified farming operations.

My name is John Donley, and I am Assistant General Counsel for the Kansas Livestock Association. I appreciate the opportunity to provide testimony to discuss KLA's position on HB 2081, specifically Section 3 of the proposed legislation.

I want to preface my comments by mentioning that KLA is supportive of the good work that is conducted by the Kansas Department of Agriculture (Department) as it relates to the dairy inspection program. However, KLA is here today to discuss the potential to make improvements to the current inspection process in lieu of a fee increase. Alternatively, if a fee increase is deemed necessary, we feel that the fees should be restructured to more accurately reflect the work that is done by the department.

Frequency of Inspection/Potential for Efficiency

The requirements for dairy inspections come from the federal Pasteurized Milk Ordinance (PMO). The PMO provides the guidance regarding the inspection of dairy operations. Under the PMO, a dairy farm is required to be inspected once every 6 months. The Department has provided us with information stating that they have 4 regular inspections of dairies per year. This is twice the number of inspections as are required under the PMO. The Department states that they conduct 3 on-site inspections per year in a different publication. Admittedly, the Department has also said that they average 4-5 inspections per dairy per year, and the reason for the extra inspections was due to re-inspections following violations. We have found different answers to the same question on multiple occasions. These inconsistent answers have made it appear that there may be some efficiency to be gained within the Department rather than simply attempting to raise fees on an industry that is currently losing significant amounts of money.

We have raised the issue of efficiency to the department many times including the first opportunity that we met with them regarding their proposal. We have not received any

Ag & Natural Resources Committee
Date 2-03-09
Attachment 5

information that shows that the department has made any changes to encourage a more streamlined process for dairy inspections. The Department states that they have performance based inspections, but I am unaware of an inspection procedure manual that has the standards for performing such inspections.

Dairy producers, like many other segments of the economy are currently looking at their bottom lines to determine where cuts and changes can be made to become more profitable. KLA believes that the Department should look at the program internally to find better, more efficient ways to run the dairy inspection program. The inspections that the Department currently is making above and beyond the PMO requirements are an example of inspections that may be able to be streamlined with necessary inspections. The inconsistent description of the number of inspections being conducted in the Department's documents raises some questions as to whether the program is being monitored as closely as necessary to ensure that there are not wasted resources.

Fee Structure

If the legislature deems that it is necessary to increase inspection fees for dairy producers, KLA proposes that the legislature should take a thorough look at the structure of the fees. Currently, the fee structure is heavily weighted toward collecting an unbalanced amount of fees from larger sized dairies as it relates to the cost for the inspections that are conducted at the dairies. The reason for this is the fact that the fee is paid per 100 pounds of milk.

The Department provided us with a spread sheet showing the following salary costs for the annual inspections by size (the additional costs were not provided with the report when we requested information regarding the cost of inspections):

1,000+ head dairies -	\$1,275
300- 1,000 head dairies -	\$408
Less than 300 head dairies -	\$178.50

While we still have to do further research as to why larger dairies need certain inspections that smaller dairies do not need; however, for the purpose of this testimony, these costs will be assumed to be accurate.

When you compare the costs of the inspections versus the fees paid, there is a huge disparity. A good round number that is used when figuring production is a 20,000 pound rolling herd average. This means that each cow will produce 20,000 pounds of milk per year (also per lactation.) Obviously, the production of the cow and cowherd will vary greatly depending on many factors. Once again, for the purpose of this exercise, it will be assumed that this is an accurate formula. 20,000 pounds is equal to 200 hundred weights. Therefore, at the current fee of \$0.015 per 100 pounds, the fee is roughly \$3 per cow. With the fee increase to \$0.02 per 100 pounds, the fee will be roughly \$4 per cow.

Using these figures, a 5,000 head dairy currently pays \$15,000 for \$1,275 worth of inspections. Even a 300 head dairy pays \$900 for a \$408 inspection. (It should be noted that the fees are actually paid by the cooperative, but the costs are passed back to the producer.) In fact, every dairy greater than 59 head pays more in fees than the inspection costs provided by the Department of Agriculture.

Under the fee structure in HB 2081, a 5,000 head dairy will see their fees increase by \$5,000. That dairy will be paying \$20,000 for the same \$1,275 worth of inspections. It is KLA's position that these fees do not need to be increased. If the fees are increased, it is our belief that the fees should be staggered in a manner that more accurately reflects the amount of money that is spent on the inspection not based on the amount of production.

While KLA members are willing to have larger dairies pay a larger share of the fees, the current structure is grossly out of proportion to the services that are provided. It is our belief that the structure of the fees should be based on a graduated scale by the size of the dairy, not by production.

Conclusion

The aforementioned arguments do not even touch on the point that more of these services should be funded from the state general fund and not by producer fees. The value of this program is a value to the consuming public and the dairy producer. Therefore, the legislature must determine the percentages that should be used to fund this program.

KLA is opposed to HB 2081 because we feel that the Department has not shown that an increase is necessary. There appears to be some internal changes that could be adopted in order to be a more efficient program. However, if the legislature determines that the Department is in need of more fee funds, then KLA believes that the fee structure should be reexamined to provide a more equitable structure.

Mr. Chairman and members of the committee, I ask you to please oppose HB 2081, and I will stand for questions at the appropriate time.

PUBLIC POLICY STATEMENT

**HOUSE COMMITTEE ON AGRICULTURE and NATURAL
RESOURCES**

**RE: HB No. 2063, 2081, 2121 – acts relating to certain fees fixed
by the Secretary of Agriculture.**

**February 3, 2009
Topeka, Kansas**

**Testimony provided by:
Brad Harrelson
State Policy Director
KFB Governmental Relations**

Chairman Powell, and members of the House Committee on Agriculture and Natural Resources, thank you for the opportunity to appear before you today. I am Brad Harrelson, State Policy Director—Governmental Relations for Kansas Farm Bureau. KFB is the state's largest general farm organization representing more than 40,000 farm and ranch families through our 105 county Farm Bureau Associations.

Kansas Farm Bureau is supportive of the Kansas Department of Agriculture and believes the agency should be a strong and vigorous advocate for production agriculture. Furthermore, we understand the need for effective regulatory programs provided primarily for the protection of the general public. Because the citizens of Kansas are beneficiaries of these regulatory programs it is appropriate that significant funding should come from state general funds.

Kansas farmers and ranchers also acknowledge that the industry shares a partnership role with the department in the administration of the programs being considered under this proposed legislation. As such, they are willing to accept some reasonable user fees.

However, we are unable to support user fee increases that are exorbitant (in some cases 50% increases) simply as a means to fund programs during budgetary and fiscal shortfalls. Clearly the state has an interest and an obligation to support these programs. Additionally, we have been unable to identify any significant increase in the level of services that would accompany these increases. We encourage the legislature to recognize the importance of production agriculture and prioritize Kansas Department of Agriculture programs and increase SGF funding so it can effectively meet their statutory requirements.

The proposals in HB 2063, 2081 and 2121 are not only excessive, but they could not come at a worse time. Everyone is aware of the impacts of these trying economic times. But no one is more aware of just how expensive it is to do business than those in agriculture. Input and operating expenses have skyrocketed and been so volatile that making good business decisions has become nearly impossible to do. It has been suggested that these increases will have limited impact on individual producers. That opinion is not shared by many of our members who actually pay the bills, especially some dairy producers that would, in certain cases, be required to pay thousands of dollars more on an annual basis.

It is for these reasons, Kansas Farm Bureau respectfully urges your recommendation to not pass favorably HB 2063, 2081 and 2121. Thank you, once again, for the opportunity to appear before you and share the policy of our members. KFB stands ready to assist you as you consider this important measure. Thank you.

HOUSE BILL No. 2049

By Committee on Agriculture and Natural Resources

1-21

Proposed Amendment
For consideration by
House Committee on Agriculture

Ag & Natural Resources Committee
Date 2-03-09
Attachment 7

9 AN ACT concerning the hunter safety orientation programs in schools.

10 *Be it enacted by the Legislature of the State of Kansas:*

11 Section 1. (a) The Legislature finds that:

12 (1) ~~Firearms and hunting are~~ important elements of the history, cul-
13 ture and economy of the state of Kansas;

Hunting is an

element

14 (2) ~~the use of firearms while hunting or at any other time can be~~
15 ~~dangerous when the firearms are not handled in a careful and safe man-~~
16 ~~ner;~~ and

17 (3) ~~the opportunity of participating in a hunter safety orientation pro-~~
18 ~~gram should be offered to students in certain grades.~~

education

19 (b) The state board of education, in consultation with the secretary
20 of the department of wildlife and parks, shall develop a hunter safety
21 orientation program for use in accredited schools of this state. ~~The com-~~
22 ~~ponents of a hunter safety orientation program shall include, but not be~~
23 ~~limited to, instruction relating to:~~

24 (1) ~~The protection of lives and property against loss or damage as a~~
25 ~~result of the improper use of firearms;~~

26 (2) ~~the proper use of firearms in hunting and sport competition; and~~

27 (3) ~~the care and safety of firearms in the home.~~

work cooperatively with the secretary of wildlife
and parks to

28 (c) The state board of education shall develop a curriculum, materials
29 and guidelines that local boards of education and governing authorities
30 of accredited nonpublic schools may use in implementing the program of
31 instruction on hunter safety. ~~School districts also may use materials pre-~~
32 ~~pared by any national nonprofit membership organization which has as~~
33 ~~one of its purposes the training of people in marksmanship and the safe~~
34 ~~handling and use of firearms.~~

35 (d) Hunter safety orientation programs shall be conducted by an in-
36 structor certified by the secretary of the department of wildlife and parks
37 or who has other training necessary to conduct the program as deter-
38 mined by the state board.

education

39 (e) Hunter safety orientation programs may be offered to students in
40 any of the grades six through twelve ~~over a two week period~~ during the
41 school year as part of physical education classes, or as part of the general
42 curriculum offered to students in such grades or at the end of the school
43

1 day, as determined by the board of education of the school district or the
2 governing authority of the accredited nonpublic school.

3 (f) Participation in hunter ~~safety orientation~~ programs is voluntary to
4 students and any student may choose not to participate in the program.
5 If a student chooses not to participate in the program, the student shall
6 participate in another educational activity if the program is offered during
7 regular school hours.

8 (g) Nothing in this section shall be construed to require a school
9 district to provide a hunter ~~safety orientation~~ program if there is not
10 sufficient student interest in the program, as determined by the school
11 district or if a certified instructor is not available to provide instruction.

12 (h) The school district shall issue a certificate to any student who
13 successfully completes the hunter ~~safety orientation~~ program.

14 Sec. 2. This act shall take effect and be in force from and after its
15 publication in the statute book.

education

