

Testimony for Senate Agriculture Committee – SB57 – February 6, 2013

Steve Hitchcock, Government Affairs Kansas Federation of Animal Owners

Chairman Love and Senators:

Home-grown Kansas small businesses would like the same consideration demanded by out-of-state corporations that consider relocating their operations to the state. Namely, a fair, predictable regulatory environment without an *undue* tax burden. SB57 contradicts this in several significant ways.

Testimony here this morning and in written form from several of our organization's members address the specific concerns with provisions in SB57 and they bring experience and expertise to the issues which I hope is helpful and given due weight. I intend to address only a few concerns that arise from the rationale and unknown consequences of changes enacted through SB57.

Last session SB414 brought a laundry list of technical changes necessary to integrate Animal Health into the KDA, but also presented several significant policy changes to the Committee. The technical changes and several policy changes were enacted. Now, KDA is back with a bill that proposes even more significant policy changes that make a predictable business environment even less likely.

On page 5, lines 27 to 35, the exemption granted to USDA licensees is removed. No examples of how this provision has been deficient was presented last year, only that KDA desires to have access to "adequate veterinary care" records. We argued, and still argue, that granting two entities access to records compiled for one is opening these small-business owners to conflicting interpretations and turf wars. The provision on page 10, lines 22 to 28, of the bill *eliminating* the requirement that KDA adopt only regulations dealing with USDA licensees which parallel USDA laws and regulations only adds to the unease with which our members look at these changes.

The raising of fees on page 11, and the restructuring of fee schedules to allow multiple fees collected for the same premises, spelled out in lines 7 through 19 of the bill, are addressed by our members testimony. My question is: how does an agency with a shrinking number of locations to regulate have an expanding budget and why does the burden of funding that expanded budget fall on these small businesses?

A final concern is the change from Governor-appointed membership on the Animal Health Advisory Board to membership by appointment by the Secretary of Agriculture. We have heard concerns from our membership that SB57 does not reflect the input of the Advisory

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Board and do not think that moving the appointment power into the hands of the department charged with taking the input of that board is a desirable change. Advisory boards have at various times and across departments been accused of being mere "window-dressing." This change would, justifiably or not, open the department to that perception.

Nothing in SB57 is of the urgent nature that would justify moving forward with a bill containing so many questionable provisions. The Kansas Federation of Animal Owners would urge that this bill be put aside and that the KDA would consider a future bill that reflects the concerns of Kansas small-business owners and shows evidence of input from the statutorily constituted advisory board. Thank you for your consideration.

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