

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 March 2, 2009, in Room 783 of the Docking State Office Building.

All members were present.

Committee staff present:

Gordon Self, Office of the Revisor of Statutes
Corey Carnahan, Kansas Legislative Research Department
Pat Matzek, Committee Assistant

Conferees appearing before the Committee:

Erik Wisner, Policy and Program Analyst, Department of Agriculture
Martin Kennedy, Deputy Secretary, Department on Aging

Others attending:

See attached list.

Chairman Powell opened the meeting with explanation of **SB 203** by Corey Carhanan, Kansas Legislative Research Department.

Mr. Carnahan stated **SB 203** relates to the food service and lodging act and other food safety laws. Many of the changes found in the bill result from the transfer of inspection authority from the Kansas Department of Health and Environment (KDHE) to the Kansas Department of Agriculture (KDA) in 2008. As this bill made its way through the Senate there were two amendments made to the bill; the first change is to exempt certain individuals or groups that give funds by providing food service for certain charity purposes, and, the second change is to allow any lodging establishment to let the franchise come in and inspect, and use that in lieu of a KDA inspection.

Questions were asked and comments were made.

Hearing on:

SB 203 - Secretary of agriculture, food safety and lodging program changes.

Proponent:

Erik Wisner, Policy and Program Analyst, Department of Agriculture, (Attachment 1) spoke in support of **SB 203**, documenting several important changes to statutes related to its food safety programs:

- To re-establish the provision that allowed premises with a primary function licensed by KDHE to be exempt from food safety licensing by KDA.
- Technical change - The right of hearing should be after the order is issued rather than before to be consistent with the Kansas Administrative Procedures Act.
- To create a uniform system of enforcement actions for all KDA programs that regulate food safety and lodging facilities.

Mr. Wisner further documented KDA supported the two amendments from the Senate Committee.

Questions were asked and comments were made.

Neutral:

Martin Kennedy, Deputy Secretary, Department on Aging (KDOA), (Attachment 2) provided neutral testimony on **SB 203**, stating in its current form, the bill would appear to require the Board of Agriculture to inspect and license adult care home kitchens, which would be a duplication of part of the Kansas Department on Aging's regulatory activity. Mr. Kennedy further stated the bill already exempts from its provisions those facilities licensed by the KDHE. The KDOA requests the bill be amended to extend the exemption to also include facilities licensed by its agency.

No questions were asked or comments made.

CONTINUATION SHEET

Minutes of the House Agriculture And Natural Resources Committee at 3:30 p.m. on March 2, 2009, in Room 783 of the Docking State Office Building.

Steve Moris, Program Manager, Department of Agriculture, also answered questions from members of the Committee.

Julie Hein, Hein Law Firm, Chartered, also answered questions from members of the Committee.

The hearing was closed on **SB 203**.

The next meeting is scheduled for March 3, 2009.

The meeting was adjourned at 4:20 p.m.