

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 10, 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, Department of Agriculture  
Mary Jane Stankiewicz, Chief Operating Officer and Senior Vice President, Kansas Agribusiness Retailers Association (KARA)  
Brad Harrelson, State Director, Governmental Relations, Kansas Farm Bureau  
Leslie Kaufman, Executive Director, Kansas Cooperative Council  
Gary Meyer, Program Director of Pesticide and Fertilizer Programs, Department of Agriculture  
George Blush, Dairy Program Manager, Department of Agriculture  
Bill Bider, Director, Bureau of Waste Management, Department of Health and Environment

Others attending:

See attached list.

Vice Chairman Fund opened the meeting with explanation of **HB 2121**, provided by Raney Gilliland, Kansas Legislative Research Department, who stated this bill has a number of modifications and additions to statutes relating to pesticides, agricultural chemicals and fertilizers. Mr. Gilliland further stated that in addition, this bill also addresses fee issues in the pesticide and fertilizer arena similar to the fee issues addressed in prior bills.

No questions were asked or comments made.

**Hearing on:**

**HB 2121 - Amendments to department of agriculture fertilizer and pesticide programs, fixing fees, definitions.**

**Proponents:**

Constantine Cotsoradis, Deputy Secretary, Department of Agriculture (Department), (Attachment 1) presented testimony in favor of **HB 2121**, documenting the proposed changes include removing the sunset on pesticide and fertilizer fees, restructuring fees in the Kansas Pesticide Law, and providing additional authority in the Agriculture Chemical Act and the Kansas Pesticide Law. Mr. Cotsoradis also pointed out that if these fees are allowed to sunset, the revenue generated from the fees will be reduced by \$237,000. The Department has been contacted by industry requesting to amend the bill with minor changes which were also discussed.

Questions were asked and comments were made.

Gary Meyer, Program Director of Pesticide and Fertilizer Programs, Department of Agriculture, also answered questions asked by Committee members and staff.

George Blush, Dairy Program Manager, Department of Agriculture, also answered questions asked by Committee members and staff.

Mary Jane Stankiewicz, Chief Operating Officer and Senior Vice President, (Attachment 2) Kansas Agribusiness Retailers Association, spoke in support of **HB 2121**, stating their members pay the fees regulated by the Department of Agriculture and that it is critical to its industry for the Department to maintain

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a credible regulatory program.

No questions were asked.

### **Opponents:**

Brad Harrelson, State Director, Governmental Relations, Kansas Farm Bureau (KFB), (Attachment 3) presented testimony in opposition of **HB 2121**, stating this is the fourth time he has appeared before the Committee on the same topic of fee increases. Mr. Harrelson asked the Committee to consider the potential impact for those who pay the fees, further stating the KFB has the most trouble accepting the issue of removal of the sunset provision allowing these fees to go on in perpetuity.

Questions were asked and comments were made.

### **Neutral:**

Leslie Kaufman, Executive Director, Kansas Cooperative Council, (Attachment 4) provided neutral testimony on **HB 2121**, documenting the Council feels important provisions throughout the bill are where fees are allowed to be lowered under regulations and/or lowered where fee balances are increasing beyond program needs. Ms. Kaufman also pointed out there needs to be language modification in the bill.

Questions were asked and comments were made.

Upon completion of the hearing on **HB 2121**, the following action items were addressed by members of the Committee.

### **Action on:**

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

Constantine Cotsoradis, Deputy Secretary, Department of Agriculture, provided statistical information to the Committee on Dairy Fees (Attachment 5) and Dairy Start-Up Costs (Attachment 6).

Representative Moxley presented documentation (Attachment 7) on a Proposed **Substitute for HB 2081**, which would extend the sunset for one year, and leave the fees without alteration. Representative Moxley made a motion to adopt the proposed Substitute for HB 2081. Representative Fund seconded the motion. By majority vote of the Committee, the motion was carried.

Representative Moxley made a motion to amend two sets of fees from the original bill. Representative Lukert seconded the motion. By majority vote of the Committee, the motion was carried. Representatives Hayzlett, Light and Kerschen voted no.

Representative Moxley made a motion to adopt **Substitute for HB 2081** as amended. Representative Svaty seconded the motion. By majority vote of the Committee, the motion was carried. Representatives Hayzlett, Light and Kerschen voted no.

### **Action on:**

#### **HB 2080 - Solid waste tire management fund.**

Bill Bider, Director, Bureau of Waste Management, Department of Health and Environment, answered questions from members of the Committee.

Representative Svaty made a motion to move out **HB 2080** and place it on the Consent Calendar. Representative Johnson seconded the motion. By majority vote of the Committee, the motion was carried.

The meeting was adjourned at 5:00 p.m.

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The next meeting is scheduled for February 11, 2009.