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Testimony on HB 2503
to
The Senate Agriculture Committee

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Chairman Taddiken and Members of the Committee, thank you for the opportunity for the Kansas Department of Agriculture to come before you today in support of House Bill 2503. This bill amends provisions related to four advisory boards related to the department.

Section 1 of the bill is regarding the Kansas agricultural remediation board (KARB). This board administers the agricultural remediation fund. Pesticide, fertilizer and grain storage business licensees in the state contribute to this fund along with their license fees. The funds are used to provide assistance to anyone who contributes to the fund and who is required to remediate a contaminated site. Currently, the members of the board are appointed by the governor and are subject to senate confirmation. Generally, Senate confirmation is reserved for heads of state agencies or board governing agencies, most of which have state appropriations. KARB is not a state agency, does not receive appropriations and funds collected from industry are passed through similarly to those of the grain commissions.

The proposed change is to remove the requirement for Senate confirmation of the appointees, which would continue to be appointed by the governor.

Sections 2 and 3 of the bill concern the grape and wine industry advisory council. This council was created by the Legislature to develop and recommend a long-term plan for financing continued programs for promotion, marketing, research and extension in support of the Kansas grape and wine industry. It has been a unique entity at the Department of Agriculture, since marketing and promotion programs were under the Department of Commerce until last July. However, there was a desire to promote and assist the wine and grape industry in Kansas. When the agricultural marketing program returned to the Department of Agriculture, our program staff met with the wine and grape industry advisory council and talked about needs and plans for the future.

The council recommended that they would like to have the board continue in existence, and that it would be appropriate to modify the membership of the council. This statute was created with the idea that it would not be a permanent council but would complete its work and then perhaps transition to an independent entity. For that reason, a date is provided in the bill, setting June 30, 2016, for the expiration of the council.

The bill also provides that the membership of the council could be broadened:

- To include a member from a Kansas higher education institution. Currently the member must be from Kansas State University. This change recognizes that there are additional higher education members that would serve the mission well, such as from a school of viticulture.
- To allow a member from each of the state's grape and wine industry registered organizations, representing the commercial grape growing industry. Currently it is limited to representation from two organizations.
- To allow a member from each of the state's registered grape and wine industry organizations, representing farm wineries.
- Providing for one member who is a licensed wine distributor or wholesaler. Currently that representative does not have to be in the business.
- Providing for one member who is a licensed retail liquor store owner. Currently that representative does not have to be in the business.
- Providing for one member who is a registered agritourism operator, instead of the current requirement for a person representing the tourism industry.
- Providing for one member who has marketing or business development expertise, where currently only marketing experience is required.

Further, the secretaries of agriculture and of wildlife, parks and tourism and the director of the state alcoholic beverage control division are to serve as ex-officio members or to provide designees to assist the council. Grape and wine industry representatives believe these changes would help to focus the efforts of the council and facilitate moving forward to accomplish the advisory council's mission by June 30, 2016. The House Agriculture and Natural Resources Committee amended the bill to allow the secretary of agriculture to determine when the Advisory Council has the appropriate resources to provide its own staffing.

Section 4 of the bill concerns the dairy marketing advisory board. Our agricultural marketing staff also met with this advisory board and discussed future plans. This board was created for the purpose of studying and evaluating the need for establishing a statewide milk marketing order. That purpose is no longer relevant, so it was suggested that the advisory board might instead serve to facilitate and improve communication among dairy producers and to advise the department's agricultural marketing program and dairy program on matters such as promotion of the dairy industry and state input on federal milk regulations. The bill originally proposed changes would also expand the advisory board from five to seven members and specify representation of those members. Another proposed change is that the secretary of agriculture rather than the governor would make the appointments.

The House agriculture committee deleted the section of law contained in the bill which established the Dairy Marketing Advisory Board.

Finally, Section 5 of HB 2503 would make changes to the agriculture products development advisory board. This board is not now currently functioning, but we would like to have a functioning advisory board to advise the agricultural marketing program.

We propose to:

- Rename the board the agriculture marketing and promotions advisory board;
- Increase the membership from seven to between nine and 12 members;
- Set broader criteria for members as representing various agricultural sectors listed on page 5, lines 11-19 of the bill;
- Provide for the secretary of agriculture to make the appointments rather than the governor, beginning with the next appointments, and provide for rotational 4-year appointments;
- Provide that the board will elect officers as opposed to the governor appointing a chair;
- Eliminate the meeting on call of the chair or board majority provision on page 5, lines 31-32 of the bill; and
- Change reference from the department of commerce to the department of agriculture

Public advisory boards are an important tool to assist agencies in their missions and help us do a better job of providing customer service to Kansas agriculture and agribusiness. We greatly appreciate the commitment and service of the volunteers who represent their industries on these advisory groups. We submit these changes on behalf of these advisory council and boards with the intent to strengthen these important efforts.

Thank you for your consideration, and I am happy to respond to questions at the appropriate time.

