

MINUTES OF THE HOUSE COMMITTEE ON AGRICULTURE.

The meeting was called to order by Chairman Dan Johnson at 3:30 p.m. on February 10, 2003, in Room 423-S of the Capitol.

All members were present except:

Committee staff present: Raney Gilliland, Legislative Research Department
 Gordon Self, Revisor of Statutes Office
 Kay Scarlett, Committee Secretary

Conferees appearing before the committee:

John Moore, Lt. Governor and Secretary, Kansas Department of Commerce and Housing
Janet McPherson, Assistant Director, Governmental Relations, Kansas Farm Bureau
Representative Mario Goico
Mary Allman, Executive Director, Kansas State Historical Society
Derenda Mitchell, Assistant Counsel, Kansas Livestock Association
Leslie Kaufman, State Director, Governmental Relations, Kansas Farm Bureau
Bill Yanek, Director of Governmental Relations, Kansas Association of Realtors
Kermit Kalb, Douglas County
Bob Rhoton, Frontier Farm Credit

Others attending: See attached list

Minutes of the February 3 meeting were distributed. Members were asked to notify the committee secretary of any corrections or additions prior to 5:00 p.m. February 12, or the minutes will be considered approved as presented.

Discussion and action on HCR 5003 - Concurrent Resolution urging Congress to provide emergency disaster assistance to agricultural producers.

Representative Kassebaum moved to amend HCR 5003 as recommended by the State Water Office, "Be it further resolved: That we urge the United States Congress to enact the National Drought Policy Act to provide for a cohesive federal policy, similar to that in place for other types of disasters, to reduce serious economic and other losses due to drought." (Attachment 1) Seconded by Representative Dahl, the motion carried.

Representative Showalter moved to amend HCR 5003 to send an enrolled copy of the resolution to the Majority Leader of the United States Senate, instead of the President of the United States Senate. Seconded by Representative Dahl, the motion carried.

Representative Thimesch moved to amend HCR 5003 by eliminating the word "flooding" on page 1, line 19, as the resolution concerns drought assistance. Representative Light seconded the motion. After some discussion concerning the fact that the resolution addresses all emergency disaster assistance, Representative

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Thimesch, with Representative Light's consent, withdrew his amendment.

Representative Larkin moved to conceptually amend HCR 5003 to ensure that the disaster payments go to those who can substantiate their losses. Seconded by Representative Dahl, the motion carried.

Representative Larkin moved to recommend HCR 5003, as amended, favorable for adoption. The motion was seconded by Representative Faber. The motion carried.

Hearing on HCR 5009 - Concurrent Resolution urging the President and Congress to remove trade, financial and travel restrictions to Cuba.

Chairman Johnson opened the hearing on **HCR 5009**. Raney Gilliland explained the resolution for the committee.

John Moore, Lt. Governor and Secretary, Kansas Department of Commerce and Housing, appeared in strong support of **HCR 5009**. He said that Cuba holds promise, not only for agricultural and food products, but for other Kansas produced goods. He supports normalizing trade with Cuba for the good of both Kansas and Cuban citizens. (Attachment 2)

Janet McPherson, Assistant Director, Governmental Relations, Kansas Farm Bureau, presented testimony in support of **HCR 5009**. American Farm Bureau's policy concerning trade with Cuba, and unilateral sanctions generally, includes: 1) Support for opening negotiations to resume normal trading relations with Cuba, and 2) Belief that all agricultural products should be exempt from all embargoes and unilateral sanctions except in case of armed conflict. She said the proposed resolution is a solid signal to the federal government to open greater market opportunities for Kansas farmers. (Attachment 3)

Representative Mario Goico, who was born in Cuba, appeared in opposition to **HCR 5009**. He noted that the embargo against Cuba does not include food, although, they are required to pay cash. The Representative said that a resolution on trade with Cuba should include a statement on the violation of human rights that the Cuban citizens have suffered for the past 40 years. He also noted fugitives from U.S. Justice, terrorism and espionage as issues of concern. He read a U.S. Senate Resolution dated January 28, 2003, concerning the human rights situation in Cuba that he would like to have amended into **HCR 5009**. (Attachment 4)

Kenlon Johannes, Kansas Soybean Association, and member of the trade delegation to Cuba, testified in support of **HCR 5009** urging the President and Congress to remove trade, financial and travel restrictions to Cuba. It was noted that only the United States has Cuba on a cash-only basis.

There being no other conferees, Chairman Johnson closed the hearing on **HCR 5009**.

Hearing on HB 2168 - Preservation of historic property consistent with farming and ranching operations.

The Chairman opened the hearing on **HB 2168**. Raney Gilliland explained a **Proposed Substitute for HB 2168**, drafted as a result of a meeting of interested parties last week after the Kansas State Historical Society

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indicated that **HB 2168** would be contrary to federal law. He explained that the substitute bill is a simplified effort to accomplish the same goal. The substitute bill includes a requirement that approval of the owner of the property is required before the listing of the property on the state register of historic places. The substitute bill would remove the environs notification requirement. (Attachment 5)

Mary Allman, Executive Director, Kansas State Historical Society, discussed the state historic preservation statute and potential problems with **HB 2168** as written. She indicated she could support the **Proposed Substitute for HB 2168**. (Attachment 6)

Derenda Mitchell, Assistant Counsel, Kansas Livestock Association, testified in favor of **Proposed Substitute for HB 2168** that would encompass two concepts. First, elimination of environs language, and second, codify the practice of the Historical Society that no property is placed on the state register without the support and approval of the landowner. (Attachment 7)

Leslie Kaufman, State Director, Governmental Relations, Kansas Farm Bureau, appeared in support of the language in **Proposed Substitute for HB 2168** as a simplified approach to protecting landowners' rights. (Attachment 8)

Bill Yanek, Director of Governmental Relations, Kansas Association of Realtors, testified in support of the **Proposed Substitute for HB 2168** to remove the state's 500 foot environs requirement. He noted that Kansas is the only state that has an environs law. The Association believes that relieving the Historical Society of the burden of environs enforcement, the more positive aspects of historical preservation (tax incentives, etc.) will be more effectively pursued. (Attachment 9)

Kermit Kalb, Douglas County landowner, appeared in support of the **Proposed Substitute for HB 2168** and changes in the environs law concerning historic sites. He related his experiences with the current historical preservation environs law as he owns property adjacent to the historical Black Jack Battlefield and Santa Fe Trail ruts in Douglas County being considered for historical preservation designation. (Attachment 10)

Roger Pine, Douglas County landowner, appeared in support of the **Proposed Substitute for HB 2168**.

Jerry McElheney, Douglas County Commissioner, testified in support of the **Proposed Substitute for HB 2168**.

Bob Rhoton, an agricultural lender for Frontier Farm Credit, testified in support of eliminating the historical preservation environs rule, not to discourage preservation, but to protect the rights of the landowners. (Attachment 11)

As there were no opponents, Chairman Johnson closed the hearing on **HB 2168**.

The meeting adjourned at 5:20 p.m. The next meeting is scheduled for February 12, 2003.