

MINUTES OF THE SENATE AGRICULTURE COMMITTEE

The meeting was called to order by Chairman Mark Taddiken at 8:30 a.m. on February 25, 2009 in Room 545-N of the Capitol.

All members were present except:

Senator Steve Morris- excused

Committee staff present:

Raney Gilliland, Kansas Legislative Research Department

Corey Carnahan, Kansas Legislative Research Department

Jason Thompson, Revisor of Statutes Office

Kristen Kellems, Revisor of Statutes Office

Judy Seitz, Committee Assistant

Conferees appearing before the Committee:

Greg Foley, Executive Director, State Conservation Commission (SCC)

Rod Vorhees, Chairman, SCC

Gene Albers, Board President, Kansas Association of Conservation Districts (KACD)

Harold Klaege, Retired conservationist, Natural Resources Conservation Service (NRCS)

Keri Harris, District Manager, Franklin County Conservation District

Don Paxson, District Supervisor, KACD

Connie Richmeier, District Manager, Finney County Conservation District

Wayne Lukert, Supervisor, Shawnee County Conservation District

Herbert Graves, Executive Director, State Association of Kansas Watersheds (SAKW)

Wendy Harms, Associate Director, Kansas Aggregate Producers' Association (KAPA)

Others attending:

See attached list.

Chairman Taddiken opened the hearing on **SB 231** - Transferring the powers and duties of the animal health department and state conservation commission to the department of agriculture. He has received e-mails in support of **SB 231** because of the savings to the State.

Chairman Taddiken called the Committee's attention to a handout (Attachment 1) which shows the Legislative Post Audit summary of the estimated savings for the Animal Health Department (AHD) and State Conservation Commission (SCC) if merged with the Kansas Department of Agriculture (KDA), two pages comparing actual expenditures and expenditures that might be made through consolidation and the last page from the Department of Administration regarding the potential for rent savings for the SCC.

There was no one to testify in support of **SB 231**.

Greg Foley, Executive Director, SCC, appeared in opposition to **SB 231**. Mr. Foley said that he has appeared before the Committee to give an agency briefing and reviewed the Legislative Post Audit's report on merging the SCC into the KDA. He introduced Rod Vorhees and said he would be available for questions at the appropriate time.

Rod Vorhees, Chairman, SCC, presented testimony in opposition to **SB 231** (Attachment 2). He said this bill abolishes the SCC and reduces the role of the Commission from a decision making body to advisory. This system has been effective and assures that local districts have a strong voice in conservation program implementation. Mr. Vorhees said the SCC will utilize a piece of post audit's recommendation regarding the number of employees. Eight temporary positions are authorized for funding by half State Water Plan funds and half United States Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS) funding and three of those positions are currently filled. The NRSC State Conservationist is willing to dissolve this agreement if it is beneficial to maintaining the locally led SCC. He also stated that the SCC alternative plan outlined will provide \$381,788 in savings if a 10% FY2010 State General Fund (SGF) reduction occurs and \$451,696 if the SGF reduction is at 18%.

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Gene Albers, Board President, Kansas Association of Conservation Districts (KACD), testified in opposition to **SB 231** (Attachment 3). He said the KACD has had a strong working relationship with the SCC which is responsible for administering Conservation District Law and assisting conservation districts with the management of state-funded cost-share programs. Mr. Albers said the possible cost savings of consolidating SCC with the KDA may not be sufficient to warrant the potential reduction of the specialized hands-on service to conservation and watershed districts that they currently receive.

Chairman Taddiken recognized Representative Larry Powell, Chairman, House Agriculture and Natural Resources Committee, who attended the meeting briefly.

Harold Klaege, Retired Conservationist, Natural Resources Conservation Service (NRCS), appeared in opposition to **SB 231** (Attachment 4). He said that conservation has been a voluntary process and only works when local leaders show and lead others in protecting and preserving the natural resources in Kansas. Mr. Klaege stated that conservation is silently protecting the natural resources for the next generations.

Keri Harris, District Manager, Franklin County Conservation District, testified in opposition to **SB 231** (Attachment 5). She said this bill would have a drastic impact on conservation at the local level. The SCC provides personal and timely responses to questions and concerns directed to the conservation district employees and county supervisors.

Don Paxson, District Supervisor, KACD spoke in opposition to **SB 231** (Attachment 6). He said the SCC staff is well-trained and knows the importance of adapting to the needs of each particular region of the state. Mr Paxson told the Committee that before they choose to alter a conservation structure that has been in place and worked well for more than 70 years in order to partially address a temporary budget situation ,they should stop and think about the devastating effect this bill could have.

Connie Richmeier, District Manager, Finney County Conservation District, testified in opposition to **SB 231** (Attachment 7). She stated that the Conservation Districts could lose their ability to effectively deliver the conservation message due to other issues and programs that could become a priority of the Department of Agriculture. She also said the SCC has been a driving force in protecting natural resources and in keeping conservation strong in Kansas. Ms. Richmeier asked the question: "What is not working?" She offered to stand for questions at the appropriate time.

Wayne Lukert, Supervisor, Shawnee County Conservation District spoke in opposition to **SB 231** (Attachment 8). He said the Kansas conservation districts and the SCC are non regulatory agencies by law. He is also concerned that the funding for conservation programs may be diverted to other priorities within any agency taking over the SCC. Mr. Lukert also said that reducing the SCC to a strictly advisory capacity would eliminate any grass roots input from the people of Kansas and that would place all final say of administration of funds in the hands of the secretary of the controlling agency. He stated that the Shawnee County Conservation District is concerned that to accomplish the consolidation of the SCC with any agency would require gutting the Kansas Conservation District Act. Mr. Lukert offered to stand for questions.

Herbert Graves, Executive Director, State Association of Kansas Watersheds (SAKW, testified in opposition to **SB 231** (Attachment 9). He said that discontinuing the close link that the SCC has with the Kansas Water Office (KWO) and the Kansas Water Authority (KWA) is troubling where the state water plan budgets are concerned. Mr. Graves also said that turning the Commissioners into an advisory board with no decision or administrative authority will spell the end to their existence. He offered to stand for questions.

Wendy Harms, Associate Director, Kansas Aggregate Producers' Association (KAPA), appeared as an opponent to **SB 231** (Attachment 10). She said that KAPA pays fees into the land mined reclamation program that the SCC administers and expressed concerns about the redirection of those funds

Senator Francisco had a question regarding the appointments to the Kansas Water Authority, the Animal Health Board and the State Conservation Commission Boards

The following submitted written testimony opposing **SB 231**:

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Ron Allen, Pawnee Watershed District, ([Attachment 11](#)).

Wayne Bossert, Manager, Northwest Kansas Groundwater Management District No. 4 ([Attachment 12](#)).

Kelli Kramer, District Manager, Allen County Conservation District ([Attachment 13](#)).

Tom Frusher, Chairman, Ness County Conservation District Board of Supervisors ([Attachment 14](#)).

Clay County Conservation District ([Attachment 15](#)).

George Poland, Chairman, Geary County Conservation District ([Attachment 16](#)).

Jim Bennett, Chairperson, Lane County Conservation District ([Attachment 17](#)).

Ronald Brown, Vice President, KACD ([Attachment 18](#)).

Chairman Taddiken closed the hearing on **SB 1231**.

Mr. Vorhees took questions from the Committee.

Mr. Foley took questions from the Committee.

The next meeting is scheduled for March 3, 2009.

The meeting adjourned at 9:30 a.m.