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**Testimony on**  
**to**  
**The House Agriculture and Natural Resources Committee**  
**By Kim Christiansen**  
**Kansas Department of Agriculture**  
**January 31, 2013**

Good morning, Chairman Schwartz, and members of the committee. I am Kim Christiansen, chief legal counsel with the Kansas Department of Agriculture, and I am here to express KDA's support of House Bill 2049.

The Kansas Department of Agriculture must balance its works to promote economic growth with its obligations to enforce fair rules and regulations that provide a safety net for agricultural stakeholders and promote consumer protection as well as public health and safety. KDA incurs expenses to conduct inspections and provide oversight and depends on a reliable source of funding to deliver these necessary services. Rather than allowing regulatory fees to sunset at an arbitrary date, KDA supports the elimination of the sunset of fees to prevent a lapse in funding and thus a lapse in delivery of critical services.

<b>Fiscal Impact if Sunset Dates are Not Repealed</b>	
Dairy	\$ (234,510.00)
Pesticide	\$ (207,255.00)
Water Appropriations	\$ (304,563.00)
<b>Subtotal</b>	<b>\$ (746,328.00)</b>

These fees are also important in maintaining necessary federal requirements.

- The dairy program adopts the Pasteurized Milk Ordinance, which is the enforcement document agreed to by all states and FDA. This document provides uniform inspection and allows milk to move freely in interstate commerce. If KDA can't fund the required regulatory actions contained in this document, Kansas will not be allowed to ship milk across state lines.
- Through the pesticide performance partnership grant with EPA, KDA is the state lead agency for enforcing the Federal Insecticide, Fungicide and Rodenticide Act in Kansas. If funds are not available to meet the terms of the grant, EPA may take over enforcement actions within the state, which could have a negative impact on agricultural businesses.

In 2010, the fee weights and measures service company's pay to inspect scales and gas pump was allowed to lapse. We propose returning the fee to the level it was from 2002-2010 in order to properly fund the oversight of these companies.

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Attachment # 2

In addition, to removing sunset dates, the bill also clarifies that dairy operations that produce and process milk on the farm are exempt from paying raw milk processing fees. Current statute was established prior to development of on-farm processing facilities and has resulted in multiple Kansas dairies being subject to duplicate fees.

Thank you for the opportunity to speak with you today. I will stand for questions at the appropriate time.