



109 SW 9th Street, 4th Floor
Topeka, Kansas 66612-1280

Phone: (785) 296-3556
Fax: (785) 296-8389
Email: ksag@kda.ks.gov
http://agriculture.ks.gov

Jackie McClaskey, Acting Secretary

Sam Brownback, Governor

Testimony on 2013 HB 2049 (as introduced)
to
the Special Committee on Agriculture and Natural Resources

By Erik Wisner
Assistant Secretary
Kansas Department of Agriculture

December 13, 2013

Good morning, Chairman Love, and members of the committee. I am Erik Wisner, Assistant Secretary with the Kansas Department of Agriculture, and I am here to provide comments on HB 2049 as introduced during the 2013 legislative session.

The Kansas Department of Agriculture must balance its work 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 important services. Rather than allowing regulatory fees to sunset at an arbitrary date, KDA supported the elimination of the sunset of fees to prevent a lapse in funding and thus a lapse in delivery of critical services. The bill was amended in committee to extend the sunset dates from 2015 to 2019. Although KDA would prefer a complete repeal of the sunset dates, the department would rather have an extension versus having the fees sunset.

Fiscal Impact if Sunset Dates are Not Repealed/Eliminated	
Dairy	\$ (250,834.00)
Pesticide	\$ (220,875.00)
Water Appropriations	\$ (300,000.00)
Subtotal	\$ (771,709.00)*
*Revised estimate. Original estimate was (\$746,328).	

These fees are important for consumer protection and 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 cannot fund the required regulatory actions contained in this document, Kansas will not be allowed to ship milk across state lines.

- If funds are not available to meet the terms of the state's partnership grant with the Environmental Protection Agency, EPA may take over the enforcement actions within the state, which could have a negative impact on our state pesticide industry.
- Delays could be created in processing permit requests to appropriate water or change the use of already appropriated water resources. Reduction in funding will also affect compliance and enforcement activities regulating the use of authorized quantities of water.

In addition, to removing sunset dates, the bill also clarified 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.