

**MINUTES OF THE HOUSE AGRICULTURE & NATURAL RESOURCES BUDGET  
COMMITTEE**

The meeting was called to order by Chair Sharon Schwartz at 1:30 p.m. on May 4, 2011, in Room 142-S of the Capitol.

All members were present.

Committee staff present:

Christina Allen, Legislative Research Department  
Tamara Lawrence, Office of Revisor of Statutes  
Shirley Jepson, Committee Assistant

Conferees appearing before the Committee:

Chris Wilson, Deputy Secretary, Department of Agriculture  
Leslie Kauffman, Kansas Cooperative Council

Others attending:

See attached list.

**Hearing on SB 191 – Amending the water rights conservation program.**

Chair Schwartz explained that the proposed language being considered is contained in the Omnibus bill. However, in lieu of the Omnibus bill not passing in the Legislature, it is proposed that the language be inserted into **SB 191** for action by the Committee. The Chair further explained that the original language of **SB 191** was incorporated into **SB 124** leaving **SB 191** as a “shell” at this time.

Tamara Lawrence, Office of Revisor of Statutes, explained that the substitute language would be an appropriations bill and would be an appropriation of moneys to the laboratory testing services fee fund for the Department of Agriculture, to allow the department to authorize testing upon request (Attachment 1). The proposal would authorize the testing for FY 2012 only and be in effect upon publication in the Kansas register. Ms. Lawrence noted that the proposed language gives the Secretary of the Department of Agriculture the authority to set the fees.

Responding to questions from the Committee, Ms. Lawrence indicated that the legislation would only authorize payments from the one single source. Christina Allen, Legislative Research Department, indicated that the proposed language would be in effect for one year with the intent of the Department of Agriculture to return to the 2012 Legislature to establish the fees in permanent statute.

Chris Wilson, Deputy Secretary, Department of Agriculture, appeared in support of the legislation (Attachment 2). Ms. Wilson noted that current statute allows the Department of Agriculture's laboratory to do testing; however, does not allow for the Department to charge a fee. The Department currently has received several requests from other states to do testing and would like to be able to charge a fee for these services.

Leslie Kaufman, Kansas Cooperative Council, presented comments in support of the legislation.

The Committee expressed some concern that the proposed language does not allow for the Rules and Regulations Committee to have input on the establishment of the fees.

The hearing on **SB 191** was closed.

Representative Carlin moved to insert the proposed language into **SB 191** for House Substitute for Senate Bill 191 and recommend favorable passage. The motion was seconded by Representative Schroeder.

Representative Powell moved to amend the proposed language to include Rules and Regulation Committee authorization in setting the fees. The motion was seconded by Representative Holmes. Motion carried on a voice vote.

Representative Holmes moved to recommend H Sub for **SB 191** as amended favorable for passage. The

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motion was seconded by Representative Powell. Motion carried on a voice vote.

### **Budget Reports**

Christina Allen, Legislative Research Department, provided an update on progress by the Conference Committee on the appropriations' bill as it applied to agency budgets worked by this Committee (Attachment 3). Ms. Allen also presented an update on the State Water Plan Fund (Attachment 4).

### **Adjournment**

The next meeting is scheduled "on call of the chair".

The meeting was adjourned at 2:40 p.m.