



Kansas Grain and Feed Association
Kansas Cooperative Council
Kansas Agribusiness Retailers Association

March 11, 2024

To: House Committee on Local Government
From: Randy Stookey, Senior Vice President of Government Affairs, KGFA, KARA
Shahira Stafford, Kansas Cooperative Council
Re: **Joint Neutral Written on Senate Bill 162, as amended: Riley County nuisance abatement act**

Chairman Bergquist and members of the committee, thank you for the opportunity to testify on Senate Bill 162. This testimony is jointly submitted by Kansas Grain and Feed Association (KGFA), Kansas Agribusiness Retailers Association (KARA), and (KGFA) and Kansas Cooperative Council (KCC).

KGFA is the state association of the grain receiving, storage, processing, and shipping industry in Kansas. KGFA's membership includes over 950 Kansas business locations and represents 99% of the commercially licensed grain storage in the state. KARA is a state-wide agribusiness industry trade association with membership including over 700 companies across Kansas.

The KCC is a statewide association that works on behalf of all types of cooperatively structured businesses in Kansas. The industries organized as cooperatives are vast, including agriculture, utility, finance, and insurance.

Senate Bill 162 would grant broad authority to the Board of County Commissioners to order the removal or abatement of any nuisance from any property in the unincorporated areas of Riley County and Crawford County, and to order the repair or demolition of any structure or the removal or abatement of any other type of nuisance.

At times, agriculture and agribusiness finds itself subject to nuisance complaints for dust, noise, odor, and truck traffic. For this reason, we generally oppose legislation that could increase the possibility of nuisance actions against our industry.

We remain concerned that as suburban areas continue to sprawl, our existing agribusiness facilities will be viewed as incompatible with new housing developments, and attempts might then be made to remove our agribusiness exemption from this nuisance abatement act. We are also concerned that additional counties may seek this expanded nuisance abatement authority.

We appreciate that this bill specifically does not apply to "land, structures, machinery and equipment or motor vehicles used for an agricultural activity," to include "real and personal property, machinery, equipment, stored grain, and agricultural input products owned or maintained by commercial grain elevators and agribusiness facilities."

The Senate amended this bill to strengthen the agribusiness exemption. With inclusion of the language exempting agribusiness facilities from nuisance claims, we are able to appear neutral on the bill as it comes before your committee.

Thank you for the opportunity to comment on SB 162. If the Committee takes further action on this bill, we would respectfully ask that the full agribusiness exemption language be retained.