



Since 1894

To: Senate Agriculture Committee  
Sen. Mark Taddiken, Chair

From: Kansas Livestock Association

Presented by: Aaron Popelka, Vice President of Legal and Governmental Affairs, Kansas Livestock Association

Subject: HB 2503, an act concerning agriculture; relating to agricultural boards and advisory bodies; amending K.S.A. 2011 Supp. 2-3709, 74-552, 74-553, 74-555 and 74-50,163 and repealing the existing sections; also repealing K.S.A. 74-551.

Date: February 8, 2012

*The Kansas Livestock Association (KLA), formed in 1894, is a trade association representing over 5,300 members on legislative and regulatory issues. KLA members are involved in many aspects of the livestock industry, including seed stock, cow-calf and stocker production, cattle feeding, dairy production, grazing land management and diversified farming operations.*

Chairman Taddiken and members of the Committee, my name is Aaron Popelka and I am with the Kansas Livestock Association. I would like to take this opportunity to share with the Committee KLA's views on HB 2503 and the Dairy Marketing Advisory Board.

It is our opinion the continued existence of the Dairy Marketing Advisory Board is unnecessary. The House of Representatives agreed with our assessment and intended to not only delete Sec. 4 of HB 2503, which would have given the Board additional powers, but to also repeal the statute creating the Board. The House of Representative's intention to repeal K.S.A. § 74-555 can be found in the Supplemental Note on page two where it states: "Finally, the bill would repeal the Dairy Marketing Advisory Board, which had as its main duty the study and evaluation of the need for establishing a statewide milk marketing order."

While full repeal may have been the intention of the House of Representatives, the actual language of HB 2503 only repeals the additional authorities contained in the original Sec. 4 of the bill. To effectuate full repeal a technical amendment must be passed by this committee. The technical amendment would add K.S.A. § 74-555 to the bills repealed in the heading of HB 2503 and in Sec. 5, as amended by the House of Representatives.

The Board should be repealed because it no longer serves a meaningful purpose. The original Board was created to examine whether or not the State of Kansas should establish and implement a statewide milk marketing order. Today, most of the United States is governed by federal milk

marketing orders set up on a regional basis. Therefore, the original need for the board is no longer necessary.

In addition, KLA would oppose any attempt to broaden the responsibilities of the Board, as was proposed by the underlying, original bill text introduced in the House Agriculture and Natural Resources Committee. Each of the new advisory roles set forth for the Board in original text of HB 2503 are currently performed by the Kansas Board of Agriculture, Kansas Animal Health Board, the dairy checkoff, or producer advocacy groups like the KLA and KDA. Finally, I would like to note, repeal of this section fits into the Office of the Repealer's mandate to eliminate unnecessary statutes.

For the foregoing reasons, it is the recommendation of the KLA that HB 2503 be amended so that it repeals K.S.A. § 74-555, dissolving the Dairy Marketing Advisory Board.