

Approved: 03/13/12
Date

MINUTES OF THE SENATE AGRICULTURE COMMITTEE

The meeting was called to order by Chairman Mark Taddiken at 9:30 a.m. on February 15, 2012, in Room 159-S of the Capitol.

All members were present except:
Senator Steve Morris- excused

Committee staff present:
David Wiese, Office of the Revisor of Statutes
Jason Thompson, Office of the Revisor of Statutes
Heather O'Hara, Kansas Legislative Research Department
Abigail Boudewyns, Kansas Legislative Research Department
Judy Seitz, Committee Assistant

Conferees appearing before the Committee:
David Widmar, Economist, Kansas Department of Agriculture (KDA)
Aaron Popelka, Vice President Legal & Governmental Affairs, Kansas Livestock Association (KLA)
Tim Stroda, President – CEO, Kansas Pork Association (KPA)
Donn Teske, President, Kansas Farmers Union (KFU)
Julie Mettenburg, Executive Director, Kansas Rural Center (KRC)
Zack Pistora, Legislative Director & Lobbyist, Sierra Club
Brad Harrelson, Assistant Director, Governmental Relations, Kansas Farm Bureau (KFB)
Melissa Wangemann, General Counsel & Director of Legislative Affairs, Kansas Association of Counties (KAC)

Others attending:
See attached list.

Chairman Taddiken opened the hearing on **HB 2502 – Amending the procedure for a county to grant permission to establish swine production facilities.**

David Wiese, Office of the Revisor of Statutes, provided an overview of the bill.

David Widmar, Economist, Kansas Department of Agriculture (KDA), testified in support of **HB 2502**. (Attachment 1) He said that a company is looking for investment partners to build two pork production facilities per year over the next five years and one of these investments will generate \$14.1 million in new construction. He said that a single investment to grow and expand pork production in Kansas could have an economic impact of raising the state's Gross Domestic Product (GDP) by more than \$200 million and create nearly 2,000 jobs.

Mr. Widmar stood for questions.

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Aaron Popelka, Vice President Legal & Governmental Affairs, Kansas Livestock Association (KLA), spoke in support of **HB 2502**. (Attachment 2) He said the current law allows a county commission's decision to be challenged by a protest petition signed by five percent of qualified county electors. He said that KLA's concern is that five percent of the population in a county which has low population opens the door for a small amount of people to hold up needed economic development. Mr. Popelka said that moving the protest petition threshold to ten percent would still allow legitimate protest petitions to be successful while keeping a very small and potentially unaffected populace from delaying construction of a dairy production facility. He took questions from the Committee.

Tim Stroda, President-CEO, Kansas Pork Association (KPA), appeared in support of **HB 2502**. (Attachment 3) He said the KPA supports all pork-producing farms and any business structure that encourages cooperation. Mr. Stroda said that by requiring county approval of a new pork industry may be the reason some investors will look to other states.

Chris Wilson, Deputy Secretary, KDA, provided written testimony in support of **HB 2502**. (Attachment 4)

Donn Teske, President, Kansas Farmers Union (KFU), testified in opposition to **HB 2502**. (Attachment 5) He said the KFU has long fought against corporate agriculture and will oppose anything that makes their advancement in Kansas less impeded. He said their policy supports legislation which would prohibit direct investment by corporations or private corporation size entities and their stockholders in the business of farming.

Julie Mettenburg, Executive Director, Kansas Rural Center (KRC), presented testimony in opposition to **HB 2502**. (Attachment 6) She said the KRC is concerned about the potential for great economic, environmental and quality-of-life impact on the citizens and farmers. The KRC is also concerned that large-scale corporate swine facilities may result in unanticipated economic consequences for small farmers, food security and rural economic development. Ms. Mettenburg said the KRC is also concerned that removal of the public review for corporate swine permits decreases the rural citizens' role in their own future.

Zack Pistora, Legislative Director, Sierra Club, spoke in opposition to **HB 2502**. (Attachment 7) He said that this bill does not take a step in a smart direction because it does not seem to serve the best interests of our communities economically, ecologically and governmentally. He also stated that the Kansas Sierra Club joins others in being very concerned that the increase in corporate hog farming and the decrease in small-scale hog farming are having a major negative economic impact on jobs, local businesses and community development. Mr. Pistora stood for questions.

Brad Harrelson, Assistant Director, Governmental Relations, Kansas Farm Bureau (KFB), gave neutral testimony on **HB 2502**. (Attachment 8) He said production agriculture is a business which has changed since the 1990's and the Legislature should review the current policies. The KFB is not suggesting the current law is necessarily bad, but a uniform process would seem to make more sense.

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Melissa Wangemann, General Counsel & Director of Legislative Affairs, Kansas Association of Counties (KAC), offered neutral testimony on **HB 2502**. (Attachment 9) She said her comment relates to the length of the ballot question, which was amended by the House Agriculture Committee and has become even longer. She said that a long ballot questions often generates a “no” response because the citizen does not take the time to read it or because the voter finds the question to be confusing. The KAC suggests an amendment to shorten the ballot question. Ms. Wangemann took questions from the Committee.

Christy Hopkins, Greeley County Community Development, submitted neutral testimony on **HB 2502**. (Attachment 10)

The next meeting is scheduled for February 21, 2012. The meeting was adjourned at 9:30 a.m.