

Approved: March 9, 2010

Date

MINUTES OF THE HOUSE AGRICULTURE AND NATURAL RESOURCES COMMITTEE

The meeting was called to order by Chairman Larry Powell at 3:30 p.m. on February 25, 2010, in Room 783 of the Docking State Office Building.

Representative Johnson - Excused

Committee staff present:

Jason Thompson, Office of the Revisor of Statutes
Daniel Yoza, Office of the Revisor of Statutes
Corey Carnahan, Kansas Legislative Research Department
Raney Gilliland, Kansas Legislative Research Department
Pat Matzek, Committee Assistant

Conferees appearing before the Committee:

Dave Starkey, Chief Legal Counsel, Kansas Department of Agriculture
Tracey Streeter, Director, Kansas Water Office
Brownie Wilson, Kansas Geological Survey

Others attending:

See attached list.

Chairman Powell opened the meeting with introduction of Tracey Streeter, Director, Kansas Water Office, who gave a brief synopsis of the Geographic Information System (GIS) Policy Board, and his introduction of Brownie Wilson, Kansas Geological Survey, with his presentation of Geospatial Data for Decision Makers.

Mr. Wilson spoke on several examples of GIS-based data and applications (Attachment 1):

LiDAR Elevation Data

- LiDAR = Light Detection and Ranging,
- Generally airborne,
- Measures the elevation of underlying objects,
- High Data resolution.

LiDAR - Application example

- Kansas Biological Survey's (KBS) Flood Inundation Mapping Project,
- Identifies flood prone areas based on river flood stages and land surface elevation,
- Not intended to replace traditional surveying methods.

Master Well Inventory-The Issue

- State, local and federal agencies independently maintain their own databases,
- Each database is attributed with information relevant to the agencies' mission and responsibilities,
- Single well locations are replicated across databases without coordination.

Solution:

- Create a stand-alone, master groundwater well inventory that indexes the independent well databases into a single accessible source.

Concluding Remarks

- Kansas is GIS data rich because of the foundation laid by the GIS Policy Board and State Water Plan Fund.
- Data Access and Support Center is the State's GIS repository archives and serves massive amounts of spatial data.
- In the hands of GIS professionals, this data can readily be turned into information.

After conclusion of the presentation, the hearing was opened on **SB 393** - Department of Agriculture administrative hearings.

2/25

CONTINUATION SHEET

Minutes of the House Agriculture and Natural Resources Committee at 3:30 p.m. on February 26, 2010, in Room 783 of the Docking State Office Building.

Hearing on SB 393:

Raney Gilliland, Kansas Legislative Research Department, gave an explanation of **SB 393**, stating this bill deals with the issue of administrative hearings, specifically before the Department of Agriculture (agency), and that a number of statutes are being amended by this bill dealing with suspensions of licenses or permits. Under the current statutes, the agency is required to provide notice to the individual or entity of the license or permit and provide a hearing, and what this bill would do instead of actually having to provide a hearing, it would substitute that language with "provide the opportunity for a hearing". The agency has testified that in many cases, the person with the potential suspension of the license or permit is not interested in a hearing, yet the agency absorbs the costs of providing the hearing even though no one is interested in attending the hearing. As a cost saving effort, the agency has come in and asked for a number of statutes to be amended. Mr. Gilliland further added that in section 1 on line 17 of the bill that concerns the Kansas Dairy Law, which authorizes the Secretary of Agriculture to temporarily suspend any licenses or permits issued without a hearing and subject to notice requirements of the emergency adjudication procedures of the provisions of the Kansas administrative procedure act, that the temporary suspension under the provision could not exceed 90 days.

Dave Starkey, Chief Legal Counsel, Kansas Department of Agriculture, appeared as a proponent of **SB 393** (Attachment 2), testifying that the requested revisions would make the statutes consistent with other similar statutes administered by the Department of Agriculture, be consistent with the provisions of the Kansas Administrative Procedure Act regarding licensure, would provide due process rights to a licensee, make the process more efficient, and reduce costs.

After questions were asked by members of the Committee, the hearing was closed on **SB 393**.

Chairman Powell announced the Subcommittee meeting on **HB 2493** would be held on Friday, February 26, at 1:00 p.m., in Room 142-S. Representative Tony Brown would replace Representative Maloney as a member of this Subcommittee.

The next meeting is scheduled for March 1, 2010.

The meeting was adjourned at 4:23 p.m.