

SENATE BILL No. 606

By Senator Journey

2-12

9 AN ACT concerning wildlife; enacting the invasive species management
10 act; creating an aquaculture advisory council.

11

12 *Be it enacted by the Legislature of the State of Kansas:*

13 Section 1. Sections 1 through 20, and amendments thereto, shall be
14 known and may be cited as the invasive species management act.

15 Sec. 2. As used in the invasive species management act, unless the
16 context otherwise requires:

17 (a) “Approved nonnative species” means a nonnative species desig-
18 nated as an approved nonnative species by the secretary pursuant to sec-
19 tion 8, and amendments thereto.

20 (b) “Aquatic macrophyte” means a macroscopic nonwoody plant, ei-
21 ther a submerged, floating leafed, floating or emergent plant that natu-
22 rally grows in water.

23 (c) “Aquatic plant” means a plant, including algae and submerged,
24 floating leafed, floating or emergent plants, that naturally grows in water,
25 saturated soils or seasonally saturated soils.

26 (d) “Department” means the Kansas department of wildlife and
27 parks.

28 (e) “Infested waters” means waters of the state designated as infested
29 waters by the secretary under section 4 and 17, and amendments thereto.

30 (f) “Introduce” means to place, release or allow the escape of a non-
31 native species into a free-living state.

32 (g) “Introduction” means the placement, release or escape of a non-
33 native species into a free-living state.

34 (h) “Invasive species” means a nonnative species that:

35 (1) Causes or may cause economic or environmental harm or harm
36 to human health; or

37 (2) threatens or may threaten natural resources or the use of natural
38 resources in the state.

39 (i) “Native species” means an animal or plant species naturally pres-
40 ent and reproducing within this state or that naturally expands from its
41 historic range into this state.

42 (j) “Naturalize” means to establish a self-sustaining population of
43 nonnative species in the wild outside of its natural range.

- 1 (k) “Nonnative species” means a species that is not a native species.
- 2 (l) “Prohibited nonnative species” means any nonnative species not
3 designated as an approved nonnative species by the secretary pursuant to
4 section 8, and amendments thereto.
- 5 (m) “Regulated invasive species” means a nonnative species desig-
6 nated as a regulated invasive species by the secretary pursuant to section
7 8, and amendments thereto.
- 8 (n) “Secretary” means the secretary of wildlife and parks.
- 9 (o) “Transport” means to cause or attempt to cause a species to be
10 carried or moved into or within the state, and includes accepting or re-
11 ceiving the species for transportation or shipment. Transport does not
12 include the transport of infested water or a species within a water of the
13 state or to a connected water of the state where the species being trans-
14 ported is already present.
- 15 (p) “Watercraft” means a contrivance used or designed for navigation
16 on water and includes seaplanes.
- 17 (q) “Waters of the state” means any waters within the territorial limits
18 of this state.
- 19 (r) “Wild animal” means a living creature, not human, wild by nature,
20 endowed with sensation and power of voluntary motion.
- 21 (s) “Zebra mussel” means a species of the genus *Dreissena*.
- 22 Sec. 3. (a) The secretary shall establish a statewide program to pre-
23 vent and curb the spread of invasive species of aquatic plants and wild
24 animals. The program shall provide for coordination among governmental
25 entities and private organizations to the extent practicable. The secretary
26 shall seek available federal funding and grants for the program.
- 27 (b) The secretary shall prepare and maintain a long-term plan, which
28 may include specific plans for individual species and actions, for the state-
29 wide management of invasive species of aquatic plants and wild animals.
30 The plan shall address:
- 31 (1) Coordinated detection and prevention of accidental introductions;
32 (2) coordinated dissemination of information about invasive species
33 of aquatic plants and wild animals among resource management agencies
34 and organizations;
- 35 (3) a coordinated public education and awareness campaign;
- 36 (4) coordinated control of selected invasive species of aquatic plants
37 and wild animals on lands and public waters;
- 38 (5) participation by local citizen groups and local units of government
39 in the development and implementation of local management efforts;
- 40 (6) a reasonable and workable inspection requirement for watercraft
41 and equipment including those participating in organized events on the
42 waters of the state;
- 43 (7) the closing of points of access to infested waters, if the secretary

- 1 determines it is necessary, for a total of not more than seven days during
2 the open water season for control or eradication purposes;
- 3 (8) maintaining public accesses on infested waters reasonably free of
4 aquatic macrophytes; and
- 5 (9) notice to travelers of the penalties for violation of laws relating to
6 invasive species of aquatic plants and wild animals.
- 7 (c) The secretary shall train and authorize personnel to inspect, for a
8 minimum of 10,000 hours during the open water season, watercraft and
9 associated equipment, including weed harvesters, for aquatic macro-
10 phytes and aquatic invasive species as the watercraft and equipment leave
11 or are removed from waters of the state during the open water season.
- 12 (d) The secretary shall seek cooperation with other states for the pur-
13 poses of management and control of invasive species of aquatic plants
14 and wild animals.
- 15 (e) By January 15 each year, the secretary shall submit a report on
16 invasive species of aquatic plants and wild animals to the legislative com-
17 mittees having jurisdiction over environmental and natural resource is-
18 sues. The report shall include:
- 19 (1) Detailed information on expenditures for administration, educa-
20 tion, management, inspections and research;
- 21 (2) an analysis of the effectiveness of management activities con-
22 ducted in the state, including chemical control, harvesting, educational
23 efforts and inspections;
- 24 (3) information on the participation of other state agencies, local gov-
25 ernment units and interest groups in control efforts;
- 26 (4) information on the progress made in the management of each
27 species; and
- 28 (5) an assessment of future management needs.
- 29 (f) The secretary may contract for or accept the services of any per-
30 sons whose aid is available, temporarily or otherwise, in emergency in-
31 vasive species prevention work, either gratuitously or for compensation
32 not in excess of the limits provided by law with respect to the employment
33 of labor by the secretary. The secretary may issue a commission, or other
34 written evidence of authority, to any person whose services are so ar-
35 ranged for and may thereby empower the person to act, temporarily or
36 otherwise, in any other capacity, with powers and duties as may be spec-
37 ified in the commission or other written evidence of authority, but not in
38 excess of the powers conferred by law. The secretary of agriculture, under
39 authority provided by law, shall cooperate with the secretary in emer-
40 gency control of invasive species prevention.
- 41 Sec. 4. (a) The secretary shall designate a water of the state as an
42 infested water if the secretary determines that:
- 43 (1) The water contains a population of an aquatic invasive species

1 that could spread to other waters if use of the water and related activities
2 are not regulated to prevent this; or

3 (2) the water is highly likely to be infested by an aquatic invasive
4 species because it is connected to a water that contains a population of
5 an aquatic invasive species.

6 (b) When determining which invasive species comprise infested wa-
7 ters, the secretary shall consider:

8 (1) The extent of a species distribution within the state;

9 (2) the likely means of spread for a species; and

10 (3) whether regulations specific to infested waters containing a spe-
11 cific species will effectively reduce that species' spread.

12 (c) The presence of common carp and curly-leaf pondweed shall not
13 be the basis for designating a water as infested.

14 (d) The designation of infested waters by the secretary shall be by
15 written order.

16 Sec. 5. A person leaving infested waters designated by the secretary
17 shall drain all bait containers, other boating-related equipment holding
18 water excluding marine sanitary systems, livewells and bilges by removing
19 the drain plug before transporting the watercraft and associated equip-
20 ment on any public roads or highways of this state.

21 Sec. 6. (a) The taking of wild animals from infested waters for bait
22 or aquatic farm purposes is prohibited, except as provided in paragraph
23 (b).

24 (b) In waters that are designated as infested waters, except those
25 designated because they contain prohibited nonnative species of fish, the
26 taking of wild animals may be permitted for commercial taking of wild
27 animals for bait and aquatic farm purposes according to a permit issued
28 under section 16, and amendments thereto, subject to rules and regula-
29 tions adopted by the secretary pursuant to section 17, and amendments
30 thereto.

31 Sec. 7. (a) All nets, traps, buoys, anchors, stakes and lines used for
32 commercial fishing or turtle, frog or crayfish harvesting in an infested
33 water that is designated because it contains invasive fish or invertebrates,
34 may not be used in any other waters. If a commercial licensee operates
35 in both an infested water designated because it contains invasive fish or
36 invertebrates and other waters, all nets, traps, buoys, anchors, stakes and
37 lines used for commercial fishing or turtle, frog or crayfish harvesting in
38 waters not designated as infested with invasive fish or invertebrates shall
39 be tagged with tags provided by the secretary, as specified in the com-
40 mercial licensee's license or permit, and may not be used in infested
41 waters designated because the waters contain invasive fish or
42 invertebrates.

43 (b) A commercial licensee shall remove all aquatic macrophytes from

1 nets and other equipment when the nets and equipment are removed
2 from waters of the state.

3 (c) The secretary shall provide a commercial licensee with a current
4 listing of designated infested waters at the time that a license or permit
5 is issued.

6 Sec. 8. (a) The secretary shall, as provided in this section, classify and
7 designate nonnative species of aquatic plants and wild animals according
8 to the following categories:

9 (1) Approved nonnative species, which may be possessed, imported,
10 purchased, sold, propagated, transported or introduced in this state; and

11 (2) regulated invasive species, which may not be introduced except
12 as provided in section 12, and amendments thereto.

13 (b) The secretary shall consider the following criteria in classifying
14 and designating nonnative species of aquatic plants or wild animals under
15 this section:

16 (1) The likelihood of introduction of the species if it is allowed to
17 enter or exist in the state;

18 (2) the likelihood that the species would naturalize in the state were
19 it introduced;

20 (3) the magnitude of potential adverse impacts of the species on na-
21 tive species and on outdoor recreation, commercial fishing, and other uses
22 of natural resources in the state;

23 (4) the ability to eradicate or control the spread of the species once
24 it is introduced in the state; and

25 (5) other criteria the secretary deems appropriate.

26 (c) The classification and designation of nonnative species of aquatic
27 plants or wild animals under this section by the secretary shall be by
28 written order.

29 Sec. 9. (a) A person shall not possess, import, purchase, sell, propa-
30 gate, transport or introduce a prohibited nonnative species, except:

31 (1) Under a permit issued by the secretary pursuant to section 16,
32 and amendments thereto;

33 (2) when being transported to the department, or another destination
34 as the secretary may direct, in a sealed container for purposes of identi-
35 fying the species or reporting the presence of the species;

36 (3) when the specimen has been lawfully acquired dead and, in the
37 case of plant species, all seeds are removed or are otherwise secured in
38 a sealed container;

39 (4) in the form of herbaria or other preserved specimens;

40 (5) when being removed from watercraft and equipment, or caught
41 while angling, and immediately returned to the water from which they
42 came; or

43 (6) as the secretary may otherwise prescribe by rule or regulation.

1 (b) The secretary is hereby authorized to seize or dispose of all spec-
2 imens of prohibited nonnative species unlawfully possessed, imported,
3 purchased, sold, propagated, transported or introduced in this state.

4 Sec. 10. A person shall not introduce a prohibited nonnative species
5 unless:

6 (1) The person has notified the secretary in a manner and form pre-
7 scribed by the secretary;

8 (2) the secretary has made the classification determination required
9 in section 11, and amendments thereto; and

10 (3) the introduction is allowed under the applicable provisions of the
11 invasive species management act.

12 Sec. 11. (a) If the secretary determines that a species for which a
13 notification is received under section 10, and amendments thereto, should
14 remain classified as a prohibited nonnative species, the secretary shall
15 notify the person from which the notification was received that the species
16 is subject to section 9, and amendments thereto.

17 (b) If the secretary determines that a species for which a notification
18 is received under section 10, and amendments thereto, should be classi-
19 fied as an approved nonnative species, the secretary shall:

20 (1) Designate the species as an approved nonnative species pursuant
21 to section 8, and amendments thereto; and

22 (2) notify the person from which the notification was received that
23 the species is not subject to regulation under the invasive species man-
24 agement act.

25 (c) If the secretary determines that a species for which a notification
26 is received under section 10, and amendments thereto, should be classi-
27 fied as a regulated invasive species, the secretary shall:

28 (1) Designate the species as a regulated invasive species pursuant to
29 section 8, and amendments thereto; and

30 (2) notify the person from which the notification was received that
31 the species is subject to the requirements in section 12, and amendments
32 thereto.

33 Sec. 12. Except as provided in rules and regulations adopted pur-
34 suant to section 17, and amendments thereto, a person may not introduce
35 a regulated invasive species without a permit issued by the secretary.

36 Sec. 13. (a) A person that allows or causes the introduction of an
37 animal that is a prohibited nonnative species or regulated invasive species
38 shall, within 24 hours after learning of the introduction, notify the sec-
39 retary, a conservation officer or another person designated by the secre-
40 tary. The person shall make every reasonable attempt to recapture or
41 destroy the introduced animal. If the animal is a prohibited nonnative
42 species, the person is liable for the actual costs incurred by the depart-
43 ment in capturing or controlling, or attempting to capture or control, the

- 1 animal and its progeny. If the animal is a regulated invasive species, the
2 person is liable for such costs if the introduction was in violation of the
3 person's permit issued under section 16, and amendments thereto.
- 4 (b) A person that complies with this section is not subject to criminal
5 penalties under section 18, and amendments thereto, for the introduction.
- 6 Sec. 14. (a) A person shall not transport aquatic macrophytes on any
7 public roads or highways of this state except as provided in this section.
- 8 (b) Unless otherwise prohibited by law, a person may transport
9 aquatic macrophytes:
- 10 (1) that are duckweeds in the family Lemnaceae;
 - 11 (2) for disposal, as specified by the secretary;
 - 12 (3) for purposes of constructing shooting or observation blinds in
13 amounts sufficient for that purpose, provided that the aquatic macro-
14 phytes are emergent and cut above the waterline;
 - 15 (4) when legally purchased or traded by or from commercial or hob-
16 byist sources for aquarium, wetland or lakeshore restoration or ornamen-
17 tal purposes;
 - 18 (5) when harvested for personal or commercial use if in a motor
19 vehicle;
 - 20 (6) to the department, or another destination as the secretary may
21 direct, in a sealed container for purposes of identifying a species or re-
22 porting the presence of a species;
 - 23 (7) when transporting commercial aquatic plant harvesting equip-
24 ment to a suitable location for purposes of cleaning any remaining aquatic
25 macrophytes;
 - 26 (8) that are wild rice; or
 - 27 (9) in the form of fragments of emergent aquatic macrophytes inci-
28 dentally transported in or on watercraft or decoys used for waterfowl
29 hunting during the waterfowl season.
- 30 Sec. 15. (a) A person may not place or attempt to place into any
31 waters of the state a watercraft, a trailer or plant harvesting equipment
32 that has aquatic macrophytes, zebra mussels or prohibited nonnative spe-
33 cies attached except as provided in this section.
- 34 (b) Unless otherwise prohibited by law, a person may place into the
35 waters of the state a watercraft or trailer with aquatic macrophytes:
- 36 (1) That are duckweeds in the family Lemnaceae;
 - 37 (2) for purposes of shooting or observation blinds in amounts suffi-
38 cient for that purpose, if the aquatic macrophytes are emergent and cut
39 above the waterline;
 - 40 (3) that are wild rice; or
 - 41 (4) in the form of fragments of emergent aquatic macrophytes inci-
42 dentally transported in or on watercraft or decoys used for waterfowl
43 hunting during the waterfowl season.

- 1 (c) A wildlife officer or other peace officer may order:
- 2 (1) The removal of aquatic macrophytes or prohibited nonnative spe-
- 3 cies from a trailer or watercraft before it is placed into waters of the state;
- 4 (2) confinement of the watercraft at a mooring, dock or other location
- 5 until the watercraft is removed from the water; and
- 6 (3) removal of a watercraft from waters of the state to remove pro-
- 7 hibited nonnative species if the water has not been designated by the
- 8 secretary as being infested with that species.
- 9 Sec. 16. (a) The secretary may issue a permit for the propagation,
- 10 possession, importation, purchase or transport of a prohibited nonnative
- 11 species for the purposes of disposal, control, research or education.
- 12 (b) The secretary may issue a permit for the introduction of a regu-
- 13 lated invasive species.
- 14 (c) The secretary may issue a permit to allow the harvest of bait from
- 15 waters that are designated as infested waters, except those designated
- 16 because they contain prohibited nonnative species of fish. The permit
- 17 shall include conditions necessary to avoid spreading aquatic invasive spe-
- 18 cies. Before receiving a permit, a person annually shall satisfactorily com-
- 19 plete aquatic invasive species-related training provided by the secretary.
- 20 (d) The secretary may issue a permit under this section only if the
- 21 secretary determines that the permitted activity would not pose an un-
- 22 reasonable risk of harm to natural resources or their use in the state. The
- 23 secretary may deny, issue with conditions, modify, suspend or revoke a
- 24 permit under this section as necessary to ensure that the proposed activity
- 25 will not pose an unreasonable risk of harm to natural resources or their
- 26 use in the state.
- 27 (e) If a permit is denied, issued with conditions, modified, suspended
- 28 or revoked under this section, any person aggrieved by such decision may
- 29 request a hearing before the secretary within 30 days. Such hearing shall
- 30 be conducted in accordance with the Kansas administrative procedure
- 31 act.
- 32 Sec. 17. (a) The secretary shall adopt rules and regulations:
- 33 (1) Governing the application for and issuance of permits under the
- 34 invasive species management act, which rules may include a fee schedule;
- 35 and
- 36 (2) governing notification under section 10, and amendments thereto.
- 37 (b) The secretary is hereby authorized to promulgate rules and reg-
- 38 ulations necessary to implement and administer the provisions of the in-
- 39 vasive species management act, including, but not limited to, rules and
- 40 regulations:
- 41 (1) Regulating the possession, importation, purchase, sale, propaga-
- 42 tion, transport and introduction of invasive species of aquatic plants and
- 43 wild animals; and

- 1 (2) regulating the appropriation, use and transportation of water from
2 infested waters.
- 3 Sec. 18. (a) Unless otherwise provided, the invasive species manage-
4 ment act and rules and regulations adopted pursuant to section 17, and
5 amendments thereto, shall be enforced by wildlife officers and other law
6 enforcement officers.
- 7 (b) The authority of wildlife officers and other law enforcement of-
8 ficers to issue civil citations is in addition to other remedies available
9 under law, except that the state may not seek penalties under any other
10 provision of law for the incident subject to the citation.
- 11 (c) A person who violates a provision of section 12, 14 or 15, and
12 amendments thereto, shall be guilty of an unclassified misdemeanor pun-
13 ishable by a fine of not more than \$2,000 or by imprisonment for not
14 more than 90 days, or both.
- 15 (d) A person who possesses, transports or introduces a prohibited
16 nonnative species in violation of section 9, and amendments thereto, shall
17 be guilty of an unclassified misdemeanor punishable by a fine of not more
18 than \$2,000 or by imprisonment for not more than 90 days, or both. A
19 person who imports, purchases, sells or propagates a prohibited nonnative
20 species in violation of section 9, and amendments thereto, shall be guilty
21 of an unclassified misdemeanor punishable by a fine of not more than
22 \$6,000 or by imprisonment for not more than 90 days, or both.
- 23 (e) A person who refuses to obey an order of a wildlife officer or
24 other law enforcement officer to remove prohibited nonnative species or
25 aquatic macrophytes from any watercraft, trailer or plant harvesting
26 equipment shall be guilty of an unclassified misdemeanor punishable by
27 a fine of not more than \$2,000 or by imprisonment for not more than 90
28 days, or both.
- 29 (f) After appropriate training, wildlife officers, other law enforcement
30 officers and other department personnel designated by the secretary may
31 issue warnings or citations to a person who:
- 32 (1) Unlawfully transports prohibited nonnative species or aquatic
33 macrophytes;
- 34 (2) unlawfully places or attempts to place into waters of the state a
35 trailer, a watercraft or plant harvesting equipment that has prohibited
36 nonnative species attached;
- 37 (3) unlawfully fails to drain water, as required, from watercraft and
38 equipment before leaving infested waters; or
- 39 (4) unlawfully transports infested water off riparian property.
- 40 (g) On and after July 1, 2008, and prior to January 1, 2009, wildlife
41 officers, other law enforcement officers and other department personnel
42 designated by the secretary shall issue a warning citation under this sec-
43 tion. On and after January 1, 2009, a civil citation issued under this section

1 shall impose the following penalty amounts:

2 (1) For transporting aquatic macrophytes, \$100;

3 (2) for placing or attempting to place into waters of the state a wa-
4 tercraft, a trailer or aquatic plant harvesting equipment that has aquatic
5 macrophytes attached, \$200;

6 (3) for unlawfully possessing or transporting a prohibited nonnative
7 species other than an aquatic macrophyte, \$500;

8 (4) for placing or attempting to place into waters of the state a wa-
9 tercraft, a trailer or aquatic plant harvesting equipment that has prohib-
10 ited nonnative species attached when the waters are not designated by
11 the secretary as being infested with that invasive species, \$1,000 for the
12 first offense and \$2,000 for each subsequent offense;

13 (5) for failing to drain water, as required, from watercraft and equip-
14 ment before leaving designated infested waters, \$100; and

15 (6) for transporting infested water off riparian property without a per-
16 mit, \$400.

17 (h) A civil citation may be issued to suspend, for up to a year, the
18 watercraft license of an owner or person in control of a watercraft or
19 trailer who refuses to submit to an inspection authorized by this act or
20 who refuses to comply with a removal order given pursuant to section 15,
21 and amendments thereto.

22 (i) Unless appealed, a civil penalty is due and a watercraft license
23 suspension is effective 30 days after issuance of the civil citation. A civil
24 penalty collected under this section is payable to the secretary and shall
25 be credited pursuant to section 20, and amendments thereto.

26 (j) A civil citation and penalty may be appealed to the secretary, if
27 the person to whom the citation was issued requests a hearing by notifying
28 the secretary within 15 days after receipt of the citation. Such hearing
29 shall be conducted in accordance with the Kansas administrative proce-
30 dure act. If a hearing is not requested within the 15-day period, the ci-
31 tation becomes a final order not subject to further review.

32 Sec. 19. The invasive species management act does not apply to: (a)
33 Pathogens and terrestrial arthropods; or (b) mammals and birds defined
34 by statute as livestock.

35 Sec. 20. (a) There is hereby created in the state treasury the invasive
36 species management fund. The secretary shall remit all moneys received
37 for amounts paid under section 18, and amendments thereto, to the state
38 treasurer in accordance with the provisions of K.S.A. 75-4215, and
39 amendments thereto. Upon receipt of each such remittance the state
40 treasurer shall deposit the entire amount in the state treasury to the credit
41 of the invasive species management fund.

42 (b) All expenditures from the invasive species management fund shall
43 be made in accordance with subsection (c) and in accordance with ap-

1 appropriation acts upon warrants of the director of accounts and reports
2 issued pursuant to vouchers approved by the secretary or by a person
3 designated by the secretary.

4 (c) Expenditures from the invasive species management fund shall
5 be made as follows:

6 (1) $\frac{1}{3}$ shall be for informative uses, including, but not limited to,
7 public service announcement costs;

8 (2) $\frac{1}{3}$ shall be for assistance to cities for water source activities and
9 water cleanup; and

10 (3) $\frac{1}{3}$ shall be for eradication, including, but not limited to, cleaning
11 stations for watercraft.

12 Sec. 21. (a) There is hereby created the aquaculture advisory council
13 consisting of 12 members as follows:

14 (1) A member of the house of representatives and a member of the
15 senate appointed by the legislative coordinating council and such mem-
16 bers shall be from different political parties;

17 (2) the dean of the college of agriculture at Kansas state university or
18 the dean's designee;

19 (3) the secretary of agriculture, or the secretary's designee;

20 (4) the secretary of commerce, or the secretary's designee;

21 (5) the secretary of wildlife and parks, or the secretary's designee;

22 (6) six citizens of Kansas, representing aquaculture producers and a
23 variety of processing interests and including at least one person having
24 recognized expertise in the marketing of aquaculture products, who shall
25 be appointed by the secretary of agriculture.

26 (b) The members of the advisory council appointed under subsection
27 (a)(1) shall be appointed for a term ending on the day preceding the
28 commencement of the regular session of the legislature in the first odd
29 numbered year following appointment. The members of the advisory
30 council appointed by the secretary under subsection (a)(6) shall be ap-
31 pointed for terms as follows: (1) Three members shall be appointed for
32 terms ending on June 30, 2009, and (2) three members shall be appointed
33 for terms ending on June 30, 2010. After the expiration of the initial terms
34 of such members appointed by the secretary, members shall be appointed
35 by the secretary for terms of two years. All vacancies in the office of
36 appointed members shall be filled by appointment by the officer or coun-
37 cil making the original appointment for the remainder of the unexpired
38 term of the member creating the vacancy.

39 (c) The advisory council shall organize annually by the election from
40 its membership of a chairperson and a vice-chairperson. The advisory
41 council shall adopt such rules of procedure as it deems necessary for
42 conducting its business.

43 (d) The members of the advisory council shall be paid subsistence

1 allowance, mileage and other expenses for attendance at meetings of the
2 leadership council, or subcommittee meetings thereof authorized by the
3 council, as provided in K.S.A. 75-3223, and amendments thereto.

4 Sec. 22. The aquaculture advisory council shall have the following
5 duties, authorities and powers to:

6 (a) Advise the Kansas department of agriculture and other state agen-
7 cies on the aquaculture industry problems and needs;

8 (b) determine and recommend specific research priorities;

9 (c) publish an annual report on the status of the aquaculture industry
10 in the state;

11 (d) assist the secretary of agriculture in updating and modifying the
12 state aquaculture plan; and

13 (e) advise the secretary of agriculture in support of aquaculture.

14 Sec. 23. This act shall take effect and be in force from and after its
15 publication in the statute book.