

Approved _____

Date _____

Fred Kerr
2/2/84

MINUTES OF THE SENATE COMMITTEE ON AGRICULTURE AND SMALL BUSINESS

The meeting was called to order by Senator Fred Kerr at _____
Chairperson

10:00 a.m./p.m. on Wednesday, February 1, 1984, 19__ in room 423-S of the Capitol.

All members were present except: Senator Richard Gannon (E)
Senator Ed Reilly (E)

Committee staff present: Raney Gilliland, Research Department
Jim Wilson, Revisor's office

Conferees appearing before the committee:

Dr. Gerald D. Gurss, Livestock Commissioner,
Animal Health Department
Mike Beam, Kansas Livestock Association

Senator Allen moved the January 31, 1984 minutes be approved, seconded by Senator Norvell. Motion carried.

Dr. Gurss quoted from Attachment 1 relative to two very similar diseases found in poultry which are transmitted chiefly by direct egg transmission which cause high mortality in baby chickens and turkeys. The Kansas poultry industry endorses a Poultry Disease Act to qualify Kansas as a Pullorum-Typhoid Clean state. Enactment of this act would facilitate the movement (sale and exhibiting) of hatching eggs and poultry in and out of Kansas. If the department follows it for a year, then Kansas could be approved. Twelve states have such an act. Dr. Gurss said there would be no cost to them and registration would not be required. The bill would mainly affect exhibition and breeding flocks who do not now participate in the National Poultry Improvement Plan. (Note Attachment 2 prepared by Al Adams, Extension Specialist, Poultry Science, KSU.)

Senator Warren moved the committee introduce a Poultry Disease Control Act, seconded by Senator Allen. The motion carried.

S.B. 574 and SCR 1653

Dr. Gurss called attention to Attachment 3 relative to Senate Bill 574 and Attachment 4 amendments thereto. Senate Bill 574 pertains to the Brucellosis Eradication Program, and the bill would require record keeping of the livestock dealers' operations. He stated his department would like a fee fund but that is not possible until they have Registration of Livestock Dealers. Under the USDA's Uniform Method & Rules (UM&R) of the Brucellosis Eradication Program, it requires in order for a state to qualify under the "Class B" status, or better, it must adopt a dealer licensing law, and Dr. Gurss is desirous of Kansas becoming a Class A. Dr. Gurss stated Kansas has been TB free for 7 years. He suggested the fee should not exceed \$50; he feels the department could operate at the present time on a \$25 fee.

Several Senators questioned the definition of a "livestock dealer". Dr Gurss, Revisor Wilson and Mike Beam feel in reading lines 25 through 38 there should be no question as to whom the bill covers.

Mike Beam stated even though they do not like this type of requirement or regulation, the Kansas Livestock Association supports this measure because of a federal requirement in USDA's Brucellosis Eradication Program (See Attachment 5). He stated KLA has worked closely with Dr. Gurss and his department. Because of their efforts and the producers' cooperation from 1982 to 1983, there has been a 20% reduction in the incidences

(MORE)

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON AGRICULTURE AND SMALL BUSINESS,
room 423-S, Statehouse, at 10:00 a.m./~~p.m.~~ on Wednesday, February 1, 1984, 19 .

of brucellosis. Attention is called to page 3 of Attachment 5 which sets out the classes Free, A, B, C. Kansas is now "B" and hopefully will soon reach Class A. Mike Beam stated in order to continue operating on an interstate basis, it is only a matter of time before Kansas has to have a Class A status.

Senator Kerr asked Raney Gilliland the amount to be generated as set out in the Fiscal Note (Attachment 6) on Senate Bill 574. He estimated a \$40 fee would raise some \$4000-\$5000 per year, with administrative costs of \$2000 a year.

Senator Kerr announced since the calendar is full for the remainder of this week, the committee will meet Monday, February 6 to further discuss and possibly act on Senate Bill 574 and SCR 1653, and hear, discuss and possibly act on Senate Bill 592.

The meeting was adjourned.

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SENATE

AGRICULTURE AND SMALL BUSINESS COMMITTEE

10:00 a.m., Room 423-S

Wednesday, Feb. 1, 1984

Date

NAME

ADDRESS

ORGANIZATION

| NAME | ADDRESS | ORGANIZATION |
|--------------|---------|-------------------------------|
| Mike Beam | Topeka | KLIA |
| Dr Gurn | Topeka | Animal Health Dept |
| DON JACKA | TOPEKA | Ks STATE BOARD OF AGRICULTURE |
| Doris Nagel | " | Budget |
| Barry Massey | " | Press |

POULTRY DISEASE CONTROL ACT

Baby chick disease
Salmonella pullorum and Salmonella gallinarum (typhoid) *more mature age*
6 weeks or
more

are two very similar diseases found in poultry. Both diseases are transmitted chiefly by direct egg transmission; however, direct contact may also be a method of spread. Pullorum causes a high mortality in baby chickens and turkeys and typhoid has a greater tendency to be spread among mature flocks. Mortality is usually high in both diseases.

Diagnosis and control are by observation of suggestive lesions, isolation and culture of organisms, and by a blood-testing program of breeding stock. Primarily, the blood-testing procedures will be used in meeting the standards necessary to become a pullorum-typhoid clean state.

TO: Senate Agriculture and Small Business Committee
FROM: Al Adams, Extension Specialist, Poultry Science, KSU
RE: Reasons for Enactment of Poultry Disease Act

The Kansas poultry industry consists of a commercial egg production industry with 1.7 million layers producing 416 million eggs per year valued at \$18.2 million, 3.3 million chickens on farms valued at \$3.4 million, a hatchery industry that hatches 5.4 million chicks and poults per year valued at \$3.6 million, and a growing exhibition or show bird industry with an unknown value.

The main objective in seeking enactment of the Poultry Disease Act is to qualify Kansas as a Pullorum-Typhoid Clean state. Attainment of this status would benefit the Kansas poultry industry in the following ways:

- (1) The major concern of the commercial poultry industry is that, under current regulations, exhibition breeding flocks, hatcheries, chick and poults sales stores don't have to participate in the National Poultry Improvement Plan (NPIP). By testing adult birds and eliminating disease carriers from the breeding flock, commercial chicken and turkey raisers have eliminated the costly pullorum-typhoid and other diseases. The main remaining reservoir of these two diseases and other infectious diseases, is the small hatcheries and breeders that primarily deal in exhibition or show birds and don't operate under the provisions of the NPIP. They represent a potential source for the spread of these and other infectious diseases to the commercial poultry industry. Enactment of the Poultry Disease Act would require all hatcheries, chick sales stores, and breeder flocks in Kansas to operate as U.S. Pullorum-Typhoid Clean and would allow closer supervision of their sanitation practices, advertising, and product quality.
- (2) Presently 30+ states are classified as U.S. Pullorum-Typhoid Clean. All states contiguous to Kansas, except Colorado, are now or soon will be U.S. Pullorum-Typhoid Clean states. This means that all hatching eggs, young and adult poultry entering these states (other than for slaughter) must be from a Clean source or in the case of live adult birds, have been tested within 90 days of entry. Enactment of the Poultry Disease Act would facilitate the movement (sale and exhibiting) of hatching eggs and poultry from Kansas into these states and control the flow into Kansas of hatching eggs, young and adult poultry from non-certified pullorum-typhoid clean sources.

Atch. 2

G. L. D. GURSS, DVM
LIVESTOCK COMMISSIONER

STATE OF KANSAS



Robert E. Williams,
CHAIRMAN, ANIMAL HEALTH BOARD

ANIMAL HEALTH DEPARTMENT
217 East 4th Street, 4th Floor
TOPEKA, KANSAS 66603
TELEPHONE (913) 296-2326

M E M O R A N D U M

DATE: January 27, 1984
TO: Senate Agriculture and Small Business Committee
FROM: Dr. Gerald D. Gurss, Livestock Commissioner
SUBJECT: Senate Bill No. 574

Senate Bill No. 574 is related and pertains to the Brucellosis Eradication Program. The national brucellosis committee recommended that one of the standards of the Uniform Methods and Rules requires that each state shall enact a livestock dealers law or regulation that would require recordkeeping of the livestock dealer's operation. The purpose is to provide a record of information showing the movement and the identification of animals that could be brucellosis infected or brucellosis exposed. These records kept by the livestock dealers would also assist in the epidemiology of other diseases; such as, cattle scabies, hog cholera, tuberculosis, or any exotic disease. It would also provide information used in regard to theft investigations.

The Brucellosis Eradication Uniform Methods and Rules establish standards that each state must meet in order to maintain a certain brucellosis status. All states have been assigned a brucellosis status and are classified as O, A, B or C. Kansas is classified as a B state. This status is based primarily on the brucellosis herd infection rate; however, several other standards include BRT (Brucellosis Ring Test) milk samples, brucellosis testing at certain concentration points, application of backtags, dealers registration and recordkeeping, testing of contact herds, and others.

The Animal Health Department has been advised by the brucellosis staff of Veterinary Services that we lack the livestock dealers requirements and that this deficiency will prevent any advancement in our brucellosis classification status. They have also advised us that if action is not taken to meet these standards, our present B status would be reduced to C status. This act is our effort to correct this deficiency.

I have been advised that all but three states have some kind of existing livestock dealers registration or licensing law. In an effort to proceed toward our goal in the eradication of brucellosis, I recommend that Senate Bill 574 be accepted.

Atch. 3

Senate Bill No. 574

3

Amend Sec. 2, lines 0039 through 0049 to read as follows:

Any person operating as a livestock dealer in Kansas shall register with the Kansas Animal Health Department. Registration shall be made on an application form approved by the commissioner. The livestock commissioner shall determine annually the amount of funds which will be required for the purposes for which the livestock dealers registration and renewal fees are charged and collected and shall fix and adjust from time to time such fee in such reasonable amount as may be necessary for such purposes, except in no case shall either the livestock dealers registration fee or the renewal fee exceed \$100. If the registration is denied or withdrawn, the fee shall not be refundable. All registrations expire on June 30 following the date of issuance.

Sec. 3, beginning on line 0071, add the following:

Any person or persons violating or failing to comply with the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than \$100 nor more than \$500.

A.L.C. 4



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Owns and Publishes The Kansas STOCKMAN magazine and KLA News & Market Report newsletter.

Statement of the
KANSAS LIVESTOCK ASSOCIATION
to the
SENATE AGRICULTURE & SMALL BUSINESS COMMITTEE
Senator Fred A. Kerr, Chairman
relative to
SB574 and SCR1653
Requiring the Registration of Livestock Dealers

Presented by

Mike Beam
Executive Secretary
Cow-Calf/Stocker Division

February 1, 1984

Mr. Chairman and members of the committee, I am Mike Beam with the Kansas Livestock Association. Thank you for allowing us to present testimony in support of SB 574.

This legislation defines a "livestock dealer" and requires that this individual annually register with the Kansas Animal Health Department. This fee shall be established by rules and regulations adopted by the commissioner, but shall not exceed \$100. The commissioner shall remit at least monthly all moneys received under this regulation to the state treasury and be credited to the livestock dealers' registration fee fund.

Section 3 requires that the livestock dealer shall keep sufficient records to enable the commissioner to trace individual animals back to the herd of origin and point of destination. These records shall be kept for at least two years. In addition, the commissioner may deny or revoke any registration if formal findings are made that the person has failed to comply with these requirements.

Although philosophically we do not like this type of requirement or regulation, the Kansas Livestock Association supports this measure because of a federal requirement in USDA's Brucellosis Eradication Program.

Several years ago USDA adopted a regulation commonly referred to as the Uniform Method & Rules (UM&R) of the Brucellosis Eradication Program.

Attch. 5

The UM&R's "Minimum Program Standards" require that for a state to qualify as a "Class B" status or better it must adopt a dealer licensing law.

It requires that livestock dealers "must be registered or licensed with the appropriate state agency and maintain required records which will facilitate trace-back of exposed and/or reactor animals by state authorities to the herd of origin or other point of original infection."

(Refer to attachments.)

In the past, KLA and the Kansas Animal Health Department have been opposed to enacting a livestock dealer registration law. Dr. Gurss has received written and oral correspondence that if Kansas is going to maintain a "Class B" status it must adopt this type of program. Kansas cattlemen will be upset if Kansas is designated a "Class C" state. Since we are very close to reaching the "A" status, it's important that we adopt this legislation.

Our association has enjoyed a close working relationship with Dr. Gurss and his department. Because of their efforts and the producers' cooperation from 1982 to 1983, there has been a 20% reduction in the incidences of brucellosis.

We both have delayed addressing the dealer licensing law requirement until now. For the future benefit of less stringent intra and interstate movement requirements of test eligible cattle we urge your support of SB574. Thank you.

UNIFORM METHOD & RULES (UM&R) OF USDA'S BRUCELLOSIS ERADICATION PROGRAM

I. State Classification

CLASS FREE - Zero infection for at least 12 months

CLASS A STATUS (Colorado & Nebraska) - Low risk of brucellosis (<2.5 herds/1,000 and less than 1 reactor/1,000 cattle tested)

CLASS B STATUS (*Kansas; Oklahoma & Missouri) - Intermediate risk of brucellosis. (<15 herds/1,000 and less than 3 reactors/1,000 cattle tested)

CLASS C STATUS (Arkansas, 1/2 of Texas, etc.) - Higher risk of brucellosis. (>15 herds/1,000 and more than 3 reactors/1,000 cattle tested)

*To reach a "Class A" status, Kansas needs to have approximately 120 accumulated infected herds by the end of a federal fiscal year (September 30).

| <u>Number of Infected Herds</u> | <u>Date</u> |
|---------------------------------|--------------------|
| 268 | September 30, 1981 |
| 152 | September 30, 1982 |
| 136 | September 30, 1983 |

The following classes of cattle may move without test requirements from herds not under quarantine in all classifications of states:

- 1) Certified free herds
- 2) All cattle under 18 months of age
- 3) Vaccinated cattle of beef breeds under 24 months of age
- 4) Vaccinated cattle of dairy breeds under 20 months of age
- 5) Cattle of any age shipped directly to slaughter
- 6) Steers and spayed heifers of any age (They may also move without test from quarantined herds.)

II. Regulations for Movement of Cattle on Change of Ownership Within or From States by Classification

"CLASS FREE"

Non-exposed cattle may move to slaughtering establishments or to markets for sale for immediate slaughter without test restrictions if identity to source is maintained.

For breeding cattle, a certificate is required for interstate movements but there are no premovement rest requirements.

"CLASS A"

Cattle from non-quarantined herds may move to recognized slaughtering establishments, stockyards or livestock markets for sale for immediate slaughter without test restrictions if identity to source is maintained.

Test eligible cattle from Certified Brucellosis Free Herds can move without test requirements if identity to source is maintained (same in all states).

Test eligible cattle from nonquarantined herds may move intrastate for breeding purposes without test restrictions. A negative test within 30 days before movement and a certificate is required for interstate movement from the farm of origin directly to the farm of destination.

"CLASS B"

Test eligible cattle from nonquarantined herds must be tested within 30 days before movement or be "S" branded. These cattle moving interstate must also have a health certificate.

Test eligible cattle originating in nonquarantined herds may move directly to slaughtering establishments, approved stockyards or markets for sale for immediate slaughter without "S" branding.

Test eligible cattle from nonquarantined herds may move interstate if they have a negative test within 30 days and a certificate prior to interstate movement. The cattle must be quarantined at destination with a retest 45-120 days postmovement.

Test eligible cattle may move intrastate if they have a negative test within 30 days prior to movement. A retest on the premises of destination is recommended but not required.

"CLASS C"

Same basic requirements as Class B states on movement for feeding and immediate slaughter purposes.

Test eligible nonvaccinated cattle may move interstate if they have two consecutive negative tests at least 60 days apart. (Second test must be within 30 days before movement and first test is valid for 12 months.) Test eligible vaccinated cattle may move interstate with only one negative test within the preceding 30 days followed by quarantine at destination and retest within 45-120 days. A certificate from the state of origin and a permit for entry form from the receiving state are required prior to interstate movement if the cattle move from a farm of origin directly to the farm of destination.

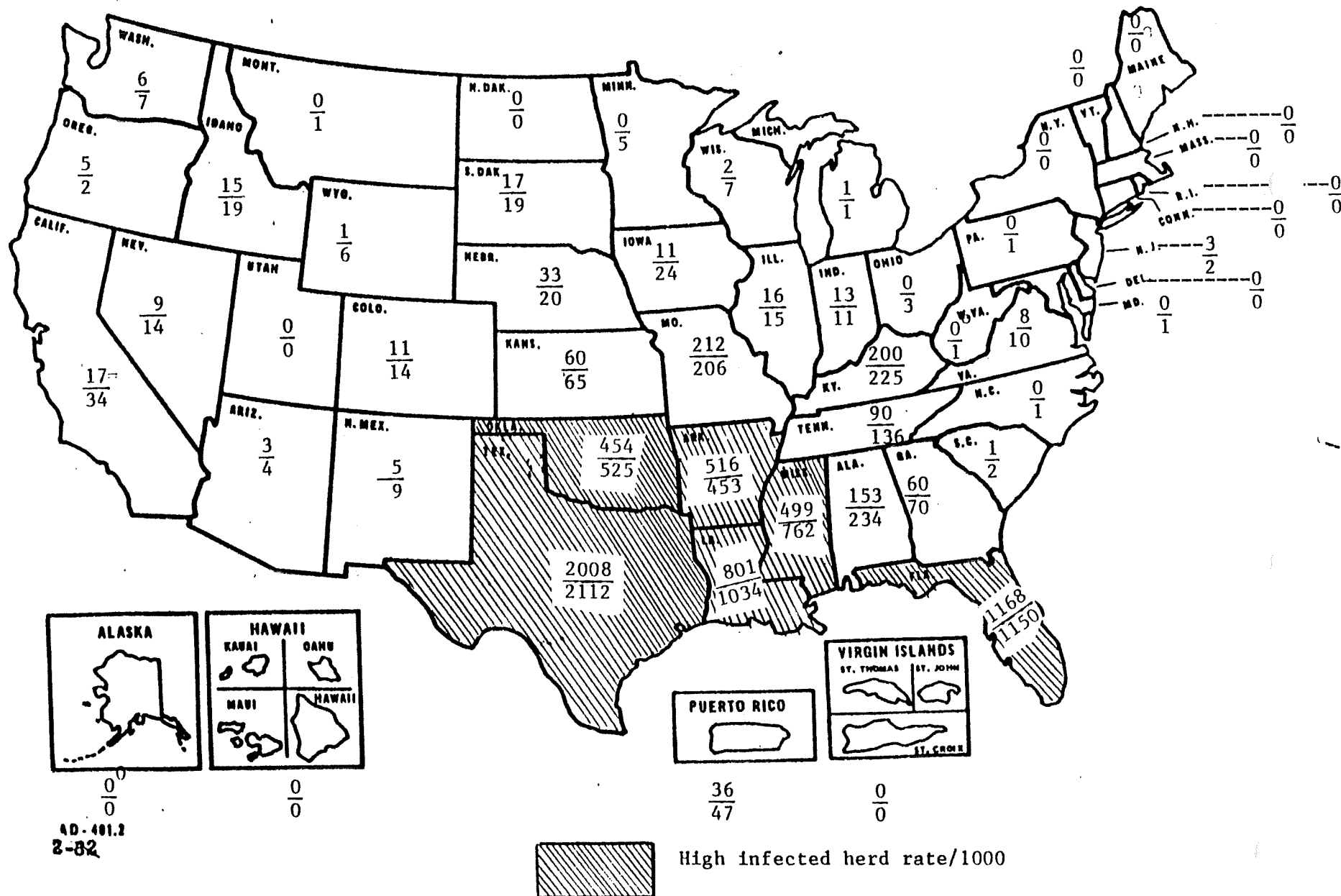
QUARANTINED HERDS BECAUSE OF BRUCELLOSIS AS OF DECEMBER 31, 1983

| STATE | TOTAL HERD POPULATION | NUMBER OF INFECTED HERDS | INFEC RATE PER 1000 | IERD 1000 |
|----------------|--------------------------|-----------------------------|------------------------|--------------|
| ALABAMA | 43,998 | 153 | 3.47 | |
| ALASKA | 170 | 0 | 0.00 | |
| ARIZONA | 33,989 | 3 | 0.08 | |
| ARKANSAS | 45,991 | 516 | 11.21 | |
| CALIFORNIA | 35,000 | 17 | 0.48 | |
| COLORADO | 18,787 | 11 | 0.58 | |
| CONNECTICUT | 2,000 | 0 | 0.00 | |
| DELAWARE | 740 | 0 | 0.00 | |
| FLORIDA | 25,372 | 1,168 | 46.03 | |
| GEORGIA | 42,500 | 60 | 1.41 | |
| HAWAII | 750 | 0 | 0.00 | |
| IDAHO | 21,400 | 15 | 0.70 | |
| ILLINOIS | 50,000 | 16 | 0.32 | |
| INDIANA | 48,000 | 13 | 0.27 | |
| IOWA | 70,000 | 11 | 0.15 | |
| KANSAS | 50,796 | 60 | 1.18 | |
| KENTUCKY | 69,802 | 200 | 2.86 | |
| LOUISIANA | 29,000 | 801 | 27.62 | |
| MAINE | 3,800 | 0 | 0.00 | |
| MARYLAND | 8,100 | 0 | 0.00 | |
| MASSACHUSETTS | 2,300 | 0 | 0.00 | |
| MICHIGAN | 33,000 | 1 | 0.03 | |
| MINNESOTA | 60,000 | 0 | 0.00 | |
| MISSISSIPPI | 40,000 | 499 | 12.47 | |
| MISSOURI | 99,000 | 212 | 2.14 | |
| MONTANA | 16,400 | 0 | 0.00 | |
| NEBRASKA | 41,000 | 33 | 0.80 | |
| NEVADA | 3,829 | 9 | 2.35 | |
| NEW HAMPSHIRE | 1,900 | 0 | 0.00 | |
| NEW JERSEY | 2,900 | 3 | 1.03 | |
| NEW MEXICO | 9,488 | 5 | 0.52 | |
| NEW YORK | 28,946 | 0 | 0.00 | |
| NORTH CAROLINA | 46,000 | 0 | 0.00 | |
| NORTH DAKOTA | 19,500 | 0 | 0.00 | |
| OHIO | 47,000 | 0 | 0.00 | |
| OKLAHOMA | 66,104 | 454 | 6.86 | |
| OREGON | 31,500 | 5 | 0.15 | |
| PENNSYLVANIA | 47,000 | 0 | 0.00 | |
| RHODE ISLAND | 360 | 0 | 0.00 | |
| SOUTH CAROLINA | 20,000 | 1 | 0.05 | |
| SOUTH DAKOTA | 35,000 | 17 | 0.48 | |
| TENNESSEE | 77,000 | 90 | 1.16 | |
| TEXAS | 161,897 | 2,008 | 12.40 | |
| UTAH | 9,900 | 0 | 0.00 | |
| VERMONT | 5,400 | 0 | 0.00 | |
| VIRGINIA | 40,000 | 8 | 0.20 | |
| WASHINGTON | 24,000 | 6 | 0.25 | |
| WEST VIRGINIA | 18,500 | 0 | 0.00 | |
| WISCONSIN | 69,000 | 2 | 0.02 | |
| WYOMING | 5,950 | 1 | 0.16 | |
| PUERTO RICO | 45,629 | 36 | 0.78 | |
| VIRGIN ISLANDS | 119 | 0 | 0.00 | |
| TOTAL | 1,708,817 | 6,434 | 3.76 | |

QUARANTINED HERDS BECAUSE OF BRUCELLOSIS

As of December 31, 1983 - 6,434

As of December 31, 1982 - 7,252



The Honorable Fred Kerr, Chairperson
Committee on Agriculture and Small Business
Senate Chamber
Third Floor, Statehouse

Dear Senator Kerr:

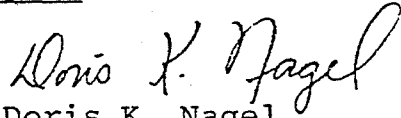
SUBJECT: Fiscal Note for Senate Bill No. 574 by Joint
Committee on Administrative Rules and Regulations

In accordance with K.S.A. 75-3715a, the following fiscal note concerning Senate Bill No. 574 is respectfully submitted to your committee.

Senate Bill No. 574 requires all livestock dealers in Kansas to register with the Animal Health Department. This registration fee shall not exceed \$100, and monies collected will be credited to the newly-created Livestock Dealers' Registration Fee Fund.

The Animal Health Department estimates that 100 to 125 livestock dealers would be registered as a result of this act. Although the maximum registration fee is \$100, the Livestock Commissioner, after consultation with the Animal Health Board, has indicated that the fee will be approximately \$40 per year. Thus, passage of Senate Bill 574 will result in \$4,000 to \$5,000 per year in new revenue. Administration costs are estimated to be \$2,000 per year.

In summary, passage of Senate Bill 574 will result in additional special revenues of \$4,000 to \$5,000 and expenditures of approximately \$2,000. Both the revenues and expenditures which would result from passage of this act would be in addition to the FY 1985 Governor's Budget Report.


Doris K. Nagel
Budget Analyst
For the Director of the Budget

DKN:sr

Atch. 6