

MINUTES OF THE HOUSE COMMITTEE ON AGRICULTURE.

The meeting was called to order by Chairperson Joann Flower at 9:00 a.m. on March 20, 1995, in Room 423-S of the Capitol.

All members were present except: Representative Bryant - Excused

Committee staff present: Raney Gilliland, Legislative Research Department
Jill Wolters, Revisor of Statutes
Kay Scarlett, Committee Secretary

Conferees appearing before the committee:
Representative George Dean, President, State Fair Board

Others attending: See attached list

Hearing and action on HB 2577 - State Fair Board; authority to purchase insurance

Chairperson Flower opened the hearing on **HB 2577** by having Raney Gilliland, Legislative Research Department, brief the committee on the bill. **HB 2577** would authorize the State Fair Board to purchase safe burglary and messenger robbery insurance coverage in amounts deemed appropriate by the board for the period of the annual Kansas state fair and during the remainder of the year. This bill would remove the setting of specific amounts of insurance that must be purchased, providing more flexibility.

Representative George Dean, President, State Fair Board, appeared in support of **HB 2577**. He stated that during August and September when they are preparing and holding the state fair, the Hutchinson International Race is also being held. There is a lot of money in town at this time. The amounts stated in the statutes is not adequate. Rather than coming back to the legislature every couple years asking for the amounts to be raised, this legislation would leave the amount to the discretion of the board.

Chairperson Flower closed the hearing on **HB 2577**.

Representative Correll moved to pass **HB 2577** favorably. Representative Ballou seconded the motion. The motion carried.

Discussion and possible action on SB 252 - Penalties for animal cruelty; disposition of animals seized; licensure and regulation of pounds and animal shelters

Chairperson Flower asked Representative Sloan to explain his balloon amendments to **SB 252** that had been distributed to the committee on March 16. (Attachment 3, March 16, 1995) He stated that his first two amendments were basically the same, but appeared in two different sections of the bill. Section 2 deals primarily with abused animals, while Section 3 concerns dog fighting. If the animal is placed in the care of an animal shelter, the animal shelter may petition the district court to be allowed to place the animal for adoption or euthanize the animal at any time after 10 days after the animal is taken into custody, unless the owner or custodian of the animal files a cash or corporate surety bond with the county treasurer of the county where the animal is being held, in an amount equal to not less than the cost of care and treatment of the animal for 30 days. Upon receiving such petition, the court shall determine whether the animal may be placed for adoption or euthanized. He stated that the amendment should read "renewable" cash or corporate surety bond. Representative Sloan moved passage of his first two amendments to **SB 252**, with Representative Humerickhouse seconding the motion.

There was considerable discussion concerning the length of time it would take the court to hear the case concerning the disposition of the animal; whether the same judge would be hearing the disposition case as the case filed against the owner; and the cost to the shelter of going to court. The committee was reminded that

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON AGRICULTURE, Room 423-S Statehouse, at 9:00 a.m. on March 20, 1995.

lines 27-29 on page 3 of the bill provide that if a licensed veterinarian determines that the animal is diseased or disabled beyond recovery for any useful purpose, such animal may be humanely killed. These two amendments would apply to those cases where the animal has been placed in a shelter and the owner of the animal has not posted a cash or corporate surety bond. Representative Humerickhouse called for the question. The motion to pass the two amendments to **SB 252** carried.

The third amendment contained in Representative Sloan's balloon appears on page 8, line 10. This amendment would require that during such time of custody, any owner or operator of such facility shall attempt to notify the owner or custodian of any animal maintained or impounded by such facility if such owner or custodian is known or reasonably ascertainable. Some facilities attempt to locate and notify the owner of the animal, however, many do not. This amendment would require that they attempt to find the owner, instead of waiting for the owner to contact them. Representative Sloan moved to pass the third amendment to **SB 252**. Representative Hutchins seconded the motion. The motion carried.

Representative Sloan moved to pass **SB 252** favorably as amended. Representative Hutchins seconded the motion.

Representative Lloyd moved to table **SB 252**. Representative Ballou seconded. The motion to table the bill carried.

The meeting adjourned at 10:05 a.m. No further meetings have been scheduled for the House Agriculture Committee.

HOUSE AGRICULTURE COMMITTEE GUEST LIST

DATE: March 20, 1995

NAME	REPRESENTING
Catherine A. Deaver	KS. Vet. Med. Assn.
Debra Duncan	Animal Health Dept.
Annie Harris	Lawrence Humane Society
Tim Stroda	KS Pock Producers Council
Marty Vanier	KS Ag Alliance
Adam Holmes	Div of Budget