

MINUTES OF THE HOUSE COMMITTEE ON AGRICULTURE.

The meeting was called to order by Chairperson Joann Flower at 9:30 a.m. on February 2, 1996, in Room 423-S of the Capitol.

All members were present except: Representative Ballou - Absent  
Representative Correll - Absent  
Representative Crabb - Excused  
Representative Howell - Absent  
Representative Sloan - Absent

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

Conferees appearing before the committee:  
George Teagarden, Livestock Commissioner, Kansas Animal Health Department

Others attending: See attached list

Chairperson Flower asked for requests for introduction of committee bills.

George Teagarden, Livestock Commissioner, Kansas Animal Health Department, appeared before the committee with two bill requests. His first request concerns authorized veterinarian inspections of livestock consigned and delivered to and sold at licensed public livestock markets. Under this bill proposal veterinarians would contract directly with the Livestock Commissioner, rather than the market operators. The fee would still be determined by negotiation between the market operator and the veterinarian according to statute. The Livestock Commissioner would select the veterinarians from lists supplied by the individual market operators. The department would be contracting for the regulatory services of the veterinarians, they would not be state employees. New language would clarify that veterinarians may only visually inspect the livestock, they do not physically examine each and every animal. (Attachment 1) Representative Powers moved to introduce the proposal as a committee bill. The motion was seconded by Representative Lloyd. The motion carried.

Commissioner Teagarden's second bill request was included in HB 2509 last session, this section of the bill failed to make it through the process. This proposal would clean up the language in the brands section of the statutes. He stated that some sections and dates are no longer needed. The department contracts for brand inspectors; however, the statutes still say inspectors shall be classified employees. Representative Powers moved to introduce the second request as a committee bill. Seconded by Representative Lloyd, the motion passed.

Chairperson Flower asked Commissioner Teagarden if his department would send a letter or notice to those individuals and businesses affected by Substitute HB 2607 informing them that this is not the same bill as the original HB 2607. Commissioner Teagarden stated that this could be done.

The meeting adjourned at 10:00 a.m. The next meeting is scheduled for February 6, 1996.



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47-1008. Inspection by authorized regulatory veterinarian; contracts for service, approval and filing certificates of inspection; inspection fees; minimum per diem for inspector to be negotiated; use and disposition of fees; veterinary inspection fee fund. (a) All livestock consigned and delivered on the premises of any licensed public livestock market, before being offered for sale, shall be inspected by an authorized veterinarian authorized by the commissioner who shall visually examine or and/or test each animal consigned to such market, for the purpose of determining its condition of health and freedom ~~from~~ of clinical signs of infectious or contagious animal diseases that are determined to be reportable by the livestock commissioner. Such regulatory veterinary services shall be contracted for by the livestock commissioner who shall select an accredited veterinarian for each public livestock market. ~~market operators, under contracts approved by the livestock commissioner, The public livestock market operator for each public livestock market shall submit to the livestock commissioner a list of accredited veterinarians to be considered for the position(s).~~ and such services shall be performed under the direction of the commissioner. Such veterinarian shall be authorized to make all required examinations and tests, and to issue certificates of inspection at the public livestock market where such veterinarian serves. A certificate of inspection, on a form to be approved by the commissioner, shall be issued to the purchaser by the inspector. For the visual inspection of livestock offered for sale, there shall be collected by the market operator from the consignor a fee which shall be determined by negotiation between the market operator and the market veterinarian but

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shall not be less than \$.07 per head, except that no fee for inspection shall be collected unless the inspection actually has been made. If the charges per head collected on all livestock inspected at a livestock market on any sales day do not amount to a minimum per diem of \$40 or any amount greater than \$40 negotiated by the operator, the market operator shall be required to supply sufficient funds to provide such amount. Any amount lesser or greater than the \$40 amount specified, shall be determined by negotiation between the market operator and the market veterinarian. A copy of any agreement or contract shall be on file with the commissioner. Payments for veterinary services rendered under a contract approved as provided in this section shall be paid from the veterinary inspection fee fund, and for such services rendered prior to the end of a fiscal year, payment may be made within 90 days after the end of the fiscal year.

(b) Livestock market operators shall pay amounts received and amounts due under this section to the livestock commissioner. The commissioner shall remit all such amounts received to the state treasurer at least monthly. Upon receipt of any such remittance the state treasurer shall deposit the entire amount thereof in the state treasury and the same shall be credited to the veterinary inspection fee fund. All expenditures from such fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the commissioner or by a person or persons designated by the commissioner. **The livestock commissioner shall promulgate rules and regulations as may be necessary to carry out the purposes of this act.**