

Approved: 03/13/12  
Date

## MINUTES OF THE SENATE AGRICULTURE COMMITTEE

The meeting was called to order by Chairman Mark Taddiken at 8:30 a.m. on February 22, 2012, in Room 159-S of the Capitol.

All members were present except:  
Senator Jeff King- excused

Committee staff present:

David Wiese, Office of the Revisor of Statutes  
Jason Thompson, Office of the Revisor of Statutes  
Heather O'Hara, Kansas Legislative Research Department  
Abigail Boudewyns, Kansas Legislative Research Department  
Judy Seitz, Committee Assistant

Conferees appearing before the Committee:

Dr. William Brown, Animal Health Commissioner, Division of Animal Health, Kansas Department of Agriculture (KDA)  
Representative Melanie Meier, 40<sup>th</sup> District  
Representative Jana Goodman, 41<sup>st</sup> District  
Mike Beam, Kansas Livestock Association (KLA)  
Tim Stroda, President-CEO, Kansas Pork Association (KPA)  
Steve Hitchcock, Government Affairs, Kansas Federation of Animal Owners  
Sam Mosshart, President, Kansas Federation of Animal Owners  
Tom Taplin, Kansas Greyhound Association (KGA)  
Gary Guccione, Executive Director, National Greyhound Association (NGA)  
Ginger Barr  
Courtney Thomas, CEO, Heartland Society for the Prevention of Cruelty to Animals (SPCA)  
Crystal Swann Blackdeer, President, Leavenworth County Humane Society, Inc.  
Becky Bentley, Manager, Prairie Paws Animal Shelter (PPAS)

Others attending:  
See attached list.

### **SB 414—Agriculture amendments to animal health statutes.**

Chairman Taddiken opened the hearing on **SB 414**.

David Wiese, Office of the Revisor of Statutes, provided an overview of the bill

Dr. William Brown, Animal Health Commissioner, Division of Animal Health, Kansas Department of Agriculture (KDA), appeared in support of **SB 414**. (Attachment 1) He said that in July 2011, Executive Reorganization Order 40 transferred the former Kansas Animal Health Department into the KDA. Since that time, the KDA and the Division of Animal Health have undertaken an extensive review of their statutes which resulted in this bill. Dr. Brown said the changes suggested provide the appropriate enforcement authority and improve protection for livestock producers. Dr. Brown offered to take questions.

## CONTINUATION SHEET

MINUTES OF THE Senate Agriculture Committee at 8:30 a.m. on February 22, 2012 in Room 159-S of the Capitol.

Representative Melanie Meier, 40<sup>th</sup> District, testified in support of **SB 414**. (Attachment 2) She said she is interested in Section 26 which would transform greyhounds into dogs again. She is also interested in Section 30 regarding inspections of breeders, kennels, shelters, etc.

Representative Jana Goodman, 41<sup>st</sup> District submitted testimony in support of **SB 414** (Attachment 3) addressing the pet animal portion of the bill stating that greyhounds should be treated as dogs.

Mike Beam, Kansas Livestock Association (KLA), spoke in support of **SB 414**. (Attachment 4) He focused his comments on Section 20, Section 40 and 41. He said the KLA supports the proposed amendments to the feral swine law that broadens the definition of feral swine.

Tim Stroda, President-CEO, Kansas Pork Association (KPA), testified in support of **SB 414**. (Attachment 5) He said the KPA supports the changes to the Feral Swine Control Program and amendments to the Farm Animal and Research Facilities Protection Act.

Questions were answered by proponents.

Steve Hitchcock, Government Affairs, Kansas Federation of Animal Owners, offered testimony in opposition to **SB 414**. (Attachment 6) He said the technical changes have been accompanied by policy changes regarding greyhounds, USDA licensed facilities and the number of required inspections.

Sam Mosshart, President, Kansas Federation of Animal Owners, testified in opposition to **SB 414**. (Attachment 7) He does not believe that changes in the veterinary care provision in the Kansas regulations are necessary. The health of the kennel has already been addressed by the United States Department of Agriculture (USDA) regulations and requires no duplication of effort on the part of the licensed professional breeder or the licenses accredited veterinarian.

Tom Taplin, Kansas Greyhound Association (KGA), gave testimony in opposition to **SB 414**. (Attachment 8) He said the changes proposed in this bill will not improve conditions for racing greyhounds on the farm. Mr. Taplin said that it will more likely increase costs through conflicting jurisdictional procedures and approaches that require expansion of other inspection programs which have no true benefit to the state or the racing greyhounds.

Gary Guccione, Executive Director, National Greyhound Association (NGA), spoke in opposition to **SB 414**. (Attachment 9) He said the greyhound breeding farms are already under sufficient regulation. He also stated that the NGA greyhounds are bred for racing and performance and not for pets. Mr. Guccione also stated that there is no market or demand for an exclusive or separate greyhound pet industry.

Ginger Barr appeared in opposition to **SB 414**. (Attachment 10) She said that the 1988 Kansas Animal Dealer Act instructed that the Livestock Commissioner “shall” inspect USDA kennels once a year and “shall” inspect non USDA kennels twice a year. Ms. Barr also said that in 1996 the word “shall” was changed to “may” which makes this act permissive and can “gut” an entire program when someone decides they don’t want to do the program.

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Courtney Thomas, CEO, Heartland Society for the Prevention of Cruelty to Animals (SPCA), offered testimony in opposition to **SB 414**. (Attachment 11) She said that **SB 414** would be taking a step backwards when the aim should be to build a standard of care for animals in our state that other states will aspire to model. Ms. Thomas also said that Kansas has seen an increase in sub-standard facilities and an increased number of hoarders. The proactive solution to these challenges is mandating a state policy of annual facility inspection for rescues, shelters, fosters and breeders.

Crystal Swann Blackdeer, President, Leavenworth County Humane Society, Inc., testified in opposition to **SB 414**. (Attachment 12) She said that changing the word “may” to “shall” as it refers to annual inspections of licensees under the Act is the only way to insure compliance.

Becky Bentley, Manager, Prairie Paws Animal Shelter (PPAS), spoke in opposition to **SB 414**. (Attachment 13) She said this bill appears to be a step backwards in preventing sick animals from crossing state lines. She also said that it is imperative for the health, safety and welfare of animals and Kansas shelters, rescues and breeders that the Department of Agriculture be required to inspect annually.

### **Written Testimony in opposition to SB 414:**

Gayle Broberg, Director, Golden Belt Humane Society (Attachment 14)

Lynn Schumacher, Manhattan/Riley County Humane Society (Attachment 15)

Rebecca Mosshart, Kansas Federation of Animal Owners (Attachment 16)

John & Venettia Maddux, Kansas Federation of Animal Owners (Attachment 17)

Judy Koehn, Professional Kennel Owner (Attachment 18)

Suzanne, Harvey, DVM, H-Bar-H Veterinary Hospital (Attachment 19)

Discussion began on **HB 2502- Amending the procedure for a county to grant permission to establish swine production facilities.** *Senator Teichman withdrew her motion that a protest petition must be signed by 10% of the qualified county electors, with the permission of the second by Senator Abrams.*

*Senator Teichman made a motion that **HB 2502** be moved out of the Committee as amended; seconded by Senator Abrams. Senator Teichman withdrew the motion and Senator Abrams withdrew his second after Senator Francisco offered an amendment to the bill.*

*Senator Francisco made a motion to adopt another proposed amendment (Attachment 20); seconded by Senator Teichman. Motion failed.*

Further discussion was held on **HB 2502** regarding the issue of simplifying the question on the ballot. Page 2, lines 15-24 change ballot question as well as the protest petition

The meeting was adjourned at 9:35 a.m.