

MINUTES OF THE SENATE AGRICULTURE COMMITTEE.

The meeting was called to order by Chairperson Derek Schmidt at 8:30 a.m. on March 6, 2002 in Room 423-S of the Capitol.

All members were present except: Senator Corbin (excused)

Committee staff present: Raney Gilliland, Legislative Research Department
Gordon Self, Revisor of Statutes
Betty Bomar, Secretary

Conferees appearing before the committee:
George Teagarden, Kansas Livestock Commissioner
Russ Frey, President, Kansas Association of Counties

Others attending: See attached list

HB 2750 - Indemnity to owners for killing of livestock pursuant to decision by livestock commissioner

George Teagarden, Livestock Commission, Kansas Animal Health Department, testified in support of **HB 2750**, stating the legislation was introduced at the department's request. Under the present statute, the board of county commissioners are responsible for the appraisal and disposition of animals held and/or taken because of disease quarantine. Mr. Teagarden stated county commissioners were involved in the appraisal and indemnity in past years because of their knowledge of livestock values and their ability to cover indemnity costs. However, that is not necessarily the case today. There are no county budgets that provide for livestock indemnity.

Mr. Teagarden stated that current practice provides for the Animal Health Department and the livestock owner involved in a taking to negotiate a fair appraisal of the livestock; if an agreement cannot be reached, an appraiser is hired to set value. **HB 2750** requires the state to pay if federal funds are not available; and takes the counties out of the responsibility for indemnity of animals infected with a contagious disease. (Attachment 1)

Russ Frey, President, Kansas Association of Counties, testified in support of **HB 2750**, stating the current law with respect to the indemnity and costs associated with the destruction of animals diseased or quarantined is archaic. Due to the potential of agri-terrorism and the deliberate introduction of infectious disease among livestock, there is a new urgency to revisit these sections of law and to modernize them relative to the sacrificing of animals and payments of indemnity.

In light of the types of diseases which may infect livestock, it is appropriate for the Livestock Commissioner to be involved in the process of appraisal and indemnity. In the event of an outbreak of infectious disease among Kansas livestock, the financial cost would be staggering, and hopefully, the federal government would help to mitigate some of the costs. (Attachment 2)

There being no additional conferees to be heard, the hearing on **HB 2750** was closed.

Mr. George Teagarden briefed the Committee on the *"Plan for foreign animal disease outbreak in the state of Kansas"*. He gave a slide presentation and submitted a copy of the "Draft", containing the mitigation, preparedness, response and recovery policies coordinated by the Kansas Animal Health Department. The slide presentation addressed the impact to the livestock industry, \$10 - 11 billion; outlined the first line of defense against such an outbreak; described the procedure for disease control and the emergency disease plan; outlined the support agencies required and the procedure to be followed in the case of a disease outbreak; and the control of the disease. (Attachment 3)

CONTINUATION SHEET

Mr. Teagarden stated the Kansas Emergency Plan is inclusive of all necessary policies and provisions for the adequate response to an actual or impending foreign animal disease. The Plan identifies existing agreements and memorandums of understanding among responding agencies, whether state, federal, professional or voluntary. The agreements establish policies to protect lives and property, and the agricultural community, by implementing efficient and coordinated response procedures. (Attachment 4)

Upon motion by Senator Taddiken, seconded by Senator Tyson, the Minutes of the February 26 meeting were unanimously approved.

The meeting adjourned at 9:30 a.m.

The next meeting is scheduled for March 12, 2002

