

MINUTES OF THE HOUSE AGRICULTURE AND NATURAL RESOURCES COMMITTEE

The meeting was called to order by Chairman Larry Powell at 3:30 p.m. on March 17, 2009, in Room 783 of the Docking State Office Building.

All members were present except - Joshua Svaty.

Committee staff present:

Mike Corrigan, Office of the Revisor of Statutes
Corey Carnahan, Kansas Legislative Research Department
Pat Matzek, Committee Assistant

Conferees appearing before the Committee:

Sharon Munk, Vice President, Kansas Pet Professionals
Gary Reser, Executive Vice President, Kansas Veterinary Medical Association
Dorothy Brecheisen, President, Kansas Pet Professionals
Becky Blaes, Pet Animal Breeder Representative and Chairperson of Pet Animal Act Advisory Board
Joshua Paige, General Manager, Lambriar, Inc.

Others attending:

See attached list.

Chairman Powell opened the meeting by requesting members of the Committee to review meeting minutes dated 2-25, 2-26, 3-02, 3-03, and 3-04.

Hearing on HB 2377:

HB 2377 - Kansas pet animal act; transferring duties and powers.

Proponents:

Written testimony in favor of **HB 2377**:

Rebecca Mosshart, Member of Kansas Federation of Animal Owners and the Kansas Pet Professionals (Attachment 1)

Sam Mosshart, President, Kansas Federation of Animal Owners (Attachment 2)

Opponents:

Sharon Munk, Vice President, Kansas Pet Professionals (KPP), (Attachment 3) spoke in opposition of **HB 2377**, documenting the KPP has an eighteen year success story here in Kansas and this could be damaged with the proposed change. Ms. Munk further noted she believes the Department of Agriculture regulates the slaughter of horses, not live animals and questions their authority to quarantine, if necessary. Also, she stated the need for protection from the Animal Rights Agenda as its goal is to someday eliminate all use of animals which would be devastating for the farm/ranch states such as Kansas.

Gary Reser, Executive Vice President, Kansas Veterinary Medical Association (KVMA), (Attachment 4) provided testimony in opposition of **HB 2377**, stating the KVMA is concerned that moving the pet animal division of the Kansas Animal Health Department to the Kansas Department of Agriculture (KDA) might draw the attention of some of the more radical national animal rights groups to again target Kansas. Mr. Reser further advised the KDA has never regulated live animals nor does the KDA have quarantine authority or the ability to investigate animal disease.

Dorothy Brecheisen, President, Kansas Pet Professionals, (Attachment 5) is in opposition of **HB 2377**, advising the Department of Agriculture has never regulated live animals, and what they do regulate pertains to the food chain. Ms. Brecheisen further stated the KPP kennel is state and federal inspected, and with other states having trouble with activists, she believes the activists know the KPP has a good inspection program and have not targeted Kansas.

CONTINUATION SHEET

Minutes of the House Agriculture and Natural Resources Committee at 3:30 p.m. on March 17, 2009, in Room 783 of the Docking State Office Building.

Becky Blaes, Pet Animal Breeder Representative and Chairperson of Pet Animal Act Advisory Board, ([Attachment 6](#)) presented testimony in opposition of **HB 2377**, noting the staff of the Kansas Animal Health Department (KAHD) has the professional, specialized background in animal care that is necessary to make timely responses to critical animal health situations, to keep standards high, and to bring unlicensed, substandard facilities into compliance for the well-being of the animals. Ms. Blaes further noted the projected cost savings of restructuring the KAHD into the Department of Agriculture has not been proven accurate and actually presents a significant risk in having a negative impact on the State of Kansas' economy.

Joshua Paige, General Manager, Lambriar, Inc., ([Attachment 7](#)) spoke in opposition of **HB 2377**, documenting that Lambriar, Inc., is licensed as a distributor by both the United States Department of Agriculture and the State of Kansas, purchases puppies from only licensed professional breeders and markets them to pet stores throughout the continental United States, with vaccination and veterinarian inspection prior to their transport. Mr. Paige further documented that Lambriar, Inc., believes it is in the extreme best interest for the Kansas pet industry, Kansas' reputation, and the Kansas economy that the Animal Facilities Inspection Program is not hindered in any way, especially by combining it with any other department.

Written testimony:

Delmar and Kathy Loe, Loe Kennels ([Attachment 8](#))

Becky Simminger ([Attachment 9](#))

N. Marshall Meyers, CEO/General Counsel, Pet Industry Joint Advisory Council ([Attachment 10](#))

Questions were asked and comments were made.

Deborah Duncan, Program Director, Kansas Animal Health Department, also answered questions from members of the Committee.

The hearing was closed on **HB 2377**.

Action on:

SB 183 - Solid waste management plans.

Representative Powell requested Mike Corrigan, Office of the Revisor of Statutes, to give an explanation of **SB 183**. Mr. Corrigan stated the bill would give city and county governments the authority to implement an approved solid waste management plan using the existing authority of levying fees and charges upon residents receiving solid waste management services.

A discussion ensued by members of the Committee.

Representative Fund made a motion to pass the bill out favorably and put on the consent calendar. Representative Moxley seconded the motion. By majority vote of the Committee, the motion was carried.

Action on:

SB 203 - Secretary of agriculture, food safety and lodging program changes.

Representative Powell requested Corey Carnahan, Kansas Legislative Research Department, to give an explanation of **SB 203**. Mr. Carnahan commented the bill concerns the transfer of inspection of authority from the Department of Health and Environment to the Department of Agriculture and is a clean up bill.

Representative Wolf made a motion to pass the bill out favorably. Representative Brown seconded the motion. By majority vote of the Committee, the motion was carried.

Representative Wolf is carrying the bill.

CONTINUATION SHEET

Minutes of the House Agriculture and Natural Resources Committee at 3:30 p.m. on March 17, 2009, in Room 783 of the Docking State Office Building.

Action on:

HB 2272 - Procedures for designation of an intensive groundwater use control area.

Representative Powell requested Mike Corrigan, Office of the Revisor of Statutes, to give an explanation of **HB 2272**. Mr. Corrigan explained the bill concerns intensive groundwater use control areas located within the boundaries of an existing groundwater management district or districts and is the responsibility of the chief engineer to cooperate and coordinate with the board or board of county commissioners to correct conditions that exist within the area in question which require regulation in the public interest.

A discussion ensued by members of the Committee.

Representative Fund made a motion to pass the bill out favorably. Representative Hineman seconded the motion. By majority vote of the Committee, the motion was carried.

Action on:

HB 2283 - Procedures for release of certain property of rural water districts.

Representative Powell requested Mike Corrigan, Office of the Revisor of Statutes, to give an explanation of **HB 2283**. Mr. Corrigan advised the bill states that if certain lands included within a district cannot be economically or adequately served by the facilities of the district, the owners of such lands may petition the board of directors of the district to release those lands from the district.

Representative Fund made a motion to pass the bill out favorably. Representative Navinsky seconded the motion. By majority vote of the Committee, the motion was carried.

Chairman Powell advised members of the Committee if they had no corrections to the meeting minutes dated 2-25, 2-26, 3-02, 3-03, and 3-04 by tomorrow, March 18, the minutes would be considered approved.

The next meeting is scheduled for March 18, 2009.

The meeting was adjourned at 4:40 p.m.