

MINUTES OF THE SENATE FEDERAL AND STATE AFFAIRS COMMITTEE

The meeting was called to order by Chairperson Nancey Harrington at 10:45 a.m. on February 4, 2003 in Room 245-N of the Capitol.

All members were present.

Committee staff present: Russell Mills, Legislative Research Department  
Dennis Hodgins, Legislative Research Department  
Theresa Kiernan, Office of the Revisor  
Nikki Kraus, Committee Secretary

Conferees appearing before the committee: Randy Hearrell, Kansas Judicial Council  
Barb Hinton, Legislative Post Audit  
Deborah Duncan, KS Animal Health Department

Others attending: Please see attached.

Chairperson Harrington asked the committee for bill introductions.

Senator Gilstrap asked for the introduction of a bill on behalf of Senator Hensley concerning school districts and community college's and the jurisdiction of persons employed as police officers.

Senator Teichman made a motion to introduce the bill. Senator Gilstrap seconded the motion to introduce. The bill was introduced.

Chairperson Harrington opened the public hearing on:

**SB 46—Kansas pet animal act; procedures for seizure and impoundment of animals**

Mr. Hearrell presented testimony in favor and explanation of the bill. (Attachment 1)

Ms. Hinton recommended presented testimony in favor of the bill and a suggested amendment. (Attachment 2)

Ms. Hinton stated that the suggested amendment from Legislative Post Audit concerned a change in the language in lines 27-29 to say if there was such an order from the judge, he/she would also order a cash bond to cover the cost for caring for the animal(s).

Senator Brungardt stated that if people don't have money to feed the animals, then how will they post bond, and Ms. Hinton stated that she did not know. With the help of another Post Audit staff member, LeAnn Schmidt, she later explained that if the individual does not have the money to support the animal(s) and it/they are dying, then they did not want to require that those animals be kept alive at the state's expense, and many of those animals are very ill and have to be euthanized anyway. She stated that if they cannot afford to feed the animal, and cannot afford the cash bond, then the state is not going to have to be in the position to maintain those animals.

In response to a question from Mr. Hodgins, Ms. Kiernan stated that at the end of the time for which the expenses are covered, the owner would post another bond or renew it instead of specifying a specific time period; the time period runs for that much expense.

Following further discussion of the bill's language, Ms. Duncan presented testimony in favor of the bill. (Attachment 3)

The committee was also presented with a copy of the fiscal note for **SB 46**. (Attachment 4)

CONTINUATION SHEET

MINUTES OF THE SENATE FEDERAL AND STATE AFFAIRS COMMITTEE at 10:45 a.m. on February 4, 2003 in Room 245-N of the Capitol.

Chairperson Harrington asked the committee for questions of the conferees.

Senator Brungardt stated that some mention was made that some critters are covered under one act and some under another-does this take care of everybody?

Ms. Duncan replied that her organization only has jurisdiction under the Pet Animal Act; her agency has no jurisdiction over animal cruelty. However, she stated, in the animal cruelty provision, which includes livestock, there already is the bond posted.

In response to further bond explanation from Ms. Hinton, Ms. Duncan stated that the statute does state that if the state seizes animals and the owners win, then the state has to pay all costs of care.

Chairperson Harrington stated that she would close the public hearing, and would leave it up to the committee's pleasure whether or not the bill needed should be worked.

Ms. Kiernan stated that they would need to add the word "cash" before bond and delete line 29 to get to the same point.

Senator O'Connor made a motion to amend SB 46 as above. Senator Teichman seconded the motion to amend. The bill was amended.

Senator O'Connor made a motion to recommend SB 46 as amended favorable for passage. Senator Teichman seconded the motion. The bill was recommended favorable for passage.

Chairperson Harrington asked Senator Brungardt to carry the bill on the floor. Senator Brungardt accepted, although he said the bill was a "little bit of a dog."

Russell Mills announced to the committee that they were set up to visit the Czars' 400 Years of Imperial Grandeur exhibition on Thursday, and that they should enter the South entrance of the West Ridge Mall to attend.

Senator Teichman stated that she was interested in seeing this one as compared to the last.

The meeting was adjourned at 11:15 a.m. The next meeting will be at 10:45 a.m. on February 5, 2002 in Room 245-N.