

MINUTES OF THE SENATE AGRICULTURE COMMITTEE.

The meeting was called to order by Chairperson Derek Schmidt at 7:30 a.m. on March 19, 2002 in Room 423-S of the Capitol.

All members were present except:

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

Conferees appearing before the committee:
 George Teagarden, Livestock Commission
 Major General Gregory Gardner, Adjutant General
 Jamie Clover Adams, Secretary, Kansas Department of Agriculture
 Representative Melvin Minor

Others attending: See attached list

George Teagarden, Livestock Commissioner, appeared before the Committee at the invitation of the Chair to review the state's response to the rumored outbreak of foot-and-mouth disease, which occurred last week.

Mr. Teagarden stated he was in Reno, Nevada, attending a Western State meeting of colleagues, and veterinarians from 20 western states. He stated a local market veterinarian at Holton reported a possible foreign animal disease to the Kansas Animal Health Department (KAHD) at approximately 1:30 p.m. on Tuesday, March 12, 2002. The suspect cattle at the Holton market were isolated. The veterinarian from KAHD arrived at approximately 5:00 p.m. and performed a visual inspection of suspect animals. No outward clinical signs were apparent, the cattle were moved into a chute area for physical examination. Eight cows were found to have mouth and tongue lesions and slightly elevated, though not abnormal temperatures. The cattle did not have foot or teat lesions characteristic of foot and mouth disease. Tissue and blood samples were collected.. The KAHD and USDA, made the collective decision neither to order the Holton market closed nor to quarantine the animals, at approximately 8:00 p.m.

Mr. Teagarden was informed of the veterinarian's examination and reported the lesions were more likely feed-related. Early Wednesday morning the samples were flown to Plum Island, New York for evaluation. Mr. Teagarden distributed a timeline of the Commission's activities from the time the market veterinarian called KAHD to the time the USDA reported the results that the sample testings were negative at 8:15 p.m. on Wednesday, March 13, 2002. (Attachment 1)

The Emergency Management Office received a VoiceMail message from Mr. Teagarden at approximately 1:00 p.m. Wednesday, March 13th, at which time the Adjutant General informed the Governor's office of the suspect case. The USDA office was aware of the suspect case and that the samples had been sent to Plum Island, New York for testing prior to anyone in the state being aware of the potential problems. USDA made no public comment regarding the crisis as they have a policy wherein none of its employees are to respond in any matters regarding foreign animal disease.

Jamie Clover Adams, Secretary, Department of Agriculture, informed the Committee that she was first aware of the rumors of foot-and-mouth when she was contacted by a radio station at approximately noon on Wednesday, March 13th, at which time she contacted the Livestock Commissioner's office. Shortly after her initial call she received a message from Commissioner Teagarden, and she then prepared talking points and stepped in to handle the press calls. (Attachment 2)

Mr. Teagarden stated he made an error in judgment in not calling the Emergency Management Hotline immediately upon his being notified of the market conditions, rather than calling the training person and leaving a VoiceMail message. This message was left in the Emergency Management Office at 12:30 p.m. on Wednesday, March 13th. In response to questions from the Committee, Mr. Teagarden insisted the Livestock Commissioner's Office does have adequate staff and are able to handle crisis information management. He further stated the Plan will be updated to inform Emergency Management

CONTINUATION SHEET

when a "suspect case" is reported rather than waiting until a case has been confirmed.

The Chairman stated he believed Mr. Teagarden should immediately notify the Secretary of Agriculture in the event of any future suspect cases. Mr. Teagarden stated he was not inclined to do so because he wants to limit the number of persons with access to such information.

Mr. Teagarden stated he contacted KLA, which is the lead on the communications team of the Kansas Foreign Disease Emergency Response Plan and then contacted the Kansas Emergency Management Office.

Mr. Teagarden distributed a list of Foreign Animal Disease Investigations conducted since October 4, 1999. (Attachment 3)

Senate Huelskamp stated that due to the inept handling of the "suspect cases" of foot-and-mouth, the Kansas Beef Industry lost approximately \$50 million. He submitted information relating to the information handling by the Livestock Commissioner's Office. (Attachment 4)

The hearing was concluded.

HB 2817 - Filing time for harvesting liens

_____ Representative Melvin Minor testified in support of **HB 2817** which enlarges the time for filing a lien for payment to a harvester to 30 days and eliminate the interruption clause in current law. (Attachment 5) There being no additional conferees, the hearing was closed.

Senator Downey moved, seconded by Senator Morris, that HB 2817 be recommended favorably for passage and placed on the Consent Calendar. The voice vote was unanimous in favor of the motion.

HB 2818 - Creating the sunflower commodity commission

_____ **Senator Corbin moved, seconded by Senator Taddiken, that HB 2818 be recommended favorably for passage. The voice vote was unanimous in favor of the motion.**

HB 2768 - Termination of pastureland tenancies

_____ **Senator Tyson moved, seconded by Senator Corbin, that HB 2768 be amended on Lines 39 and 40, by striking the words "January 1" and inserting the word "March 1". The voice vote was in favor of the motion.**

_____ **Senator Corbin moved, seconded by Senator Tyson, that HB 2768 be recommended favorably for passage as amended. The voice vote was unanimous in favor of the motion.**

HB 2660 - Repurchase of machinery, equipment and parts upon termination of dealership franchise agreements

_____ **Senator Morris moved, seconded by Senator Huelskamp, that HB 2660 be recommended favorably for passage. The voice vote was unanimous in favor of the motion.**

HCR 5014 - Urging Congress to allow interstate marketing of state inspected meat

_____ **Senator Huelskamp moved, seconded by Senator Downey, that HCR 5014 be amended by inserting SCR 1619 in its entirety. A voice vote was taken and a division called for. The vote was Yes - 3, No - 4. The motion failed.**

_____ **Senator Downey moved, seconded by Senator Schmidt that HCR 5014 be adopted. The voice vote was in favor of the motion.**

The meeting adjourned at 9:30 a.m.

The next meeting is scheduled for March 20, 2002.