

REPORTS OF STANDING COMMITTEES

MR. SPEAKER:

The Committee on **Agriculture** recommends **SB 346**, as amended by Senate Committee, be amended on page 2, in line 3, by striking "" or "" and inserting "and"; in line 7, by striking the second "or" and inserting "and";

On page 2, following line 12, by inserting:

"Sec. 3. K.S.A. 47-607c is hereby amended to read as follows: 47-607c. (a) Any person or persons violating or failing who intentionally or knowingly violates or intentionally or knowingly fails to comply with the provisions of this act shall be deemed guilty of a class C nonperson misdemeanor, and upon conviction thereof shall be punished by a fine of not less than one hundred dollars (\$100) nor more than one thousand dollars (\$1,000), or by imprisonment in the county jail not less than thirty (30) days nor more than one (1) year, or by both such fine and imprisonment.

(b) In addition to any other penalty provided by law, any person who violates K.S.A. 47-607, and amendments thereto, the special permit requirements of K.S.A. 47-607a, and amendments thereto, or rules and regulations promulgated pursuant to K.S.A. 47-607d, and amendments thereto, may incur a civil penalty in an amount not less than \$100 nor more than \$1,000 for each shipment into the state.

(c) No civil penalty shall be imposed pursuant to this section except upon the written order of the duly authorized agent of the animal health commissioner to the person who committed the violation. Such order shall state the violation, the civil penalty to be imposed and the right of the person to appeal to the commissioner. Within 20 days of such notification, any

such person may make written request to the commissioner for a hearing in accordance with the Kansas administrative procedure act.

(d) Any civil penalty recovered pursuant to this section shall be remitted to the state treasurer in accordance with K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the state general fund.

(e) The animal health commissioner may require that any records related to animals and the suspected transportation of such animals into the state in violation of K.S.A. 47-607, and amendments thereto, the special permit requirements of K.S.A. 47-607a, and amendments thereto, or rules and regulations promulgated pursuant to K.S.A. 47-607d, and amendments thereto, in the possession of any person be submitted to the commissioner for review within a reasonable time. Failure to cooperate with any such request shall be considered a violation of this act.";

On page 4, following line 2, after "(j)" by inserting: "Imminent health hazard" means any condition that involves milk, milk products or dairy products, or any practice or procedure in the handling, transportation, storage, processing or manufacturing of milk, milk product or dairy product that poses a significant threat of danger to the public health that should be corrected immediately to prevent injury or sickness and that should not be permitted to continue while a hearing or other proceeding is being conducted.

(k)";

Also on page 4, in line 7, by striking "(k)" and inserting "(l)";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly;

On page 11, in line 30, after "K.S.A." by inserting "47-607c,";

And by renumbering sections accordingly;

On page 1, in the title, in line 5, after the semicolon by inserting "relating to animals; transporting animals into the state; authorizing the animal health commissioner to assess a civil penalty for violations relating thereto;"; also in line 5, after "K.S.A." by inserting "47-607c,"; and the bill be passed as amended.

_____Chairperson