

**Testimony on Substitute for SB 57**  
**to**  
**The House Committee on Agriculture and Natural Resources**  
**By Chelsea Good**  
**Kansas Department of Agriculture**  
**March 12, 2013**

Good afternoon, Chairwoman Schwartz and members of the committee. I am Chelsea Good, a staff attorney with the Kansas Department of Agriculture, and I am here in support of the Substitute for Senate Bill 57, a bill that strengthens enforcement of existing cervid law, allows Kansas cervid producers to participate in a federal cervid herd certification program, moves National Poultry Improvement Plan authority and repeals outdated statutes. This substitute bill does not make any of the changes to the Kansas Pet Animal Act, which were originally included as part of SB 57.

The Kansas Department of Agriculture Division of Animal Health provides value to Kansas citizens through oversight, regulation, prevention and control of infectious and zoonotic animal diseases and by focusing on the health of domestic animals in Kansas.

The department has a big picture goal to serve Kansas agriculture through providing and enforcing clear, common-sense requirements that protect animal health while also encouraging growth in Kansas agriculture. Changes provided in last year's animal health bill and the follow up you are seeing this year do just that. We appreciate the opportunity to provide background information on the Substitute for SB 57. I will start by overviewing the cervid pieces, followed by poultry authority and finally the repeal portion of this bill

Captive cervids, or mammals in the deer family, present a disease transmission risk with both wild cervids and domestic livestock, primarily cattle. Existing law provides requirements for cervid fencing and record keeping. Unfortunately, KDA lacks the ability to enforce the few captive cervid rules it has in place. KDA has worked hand in hand with cervid producers to develop a plan to improve the current cervid program in the state. We support clarifying that KDA is allowed to inspect facilities and records annually and more often upon receipt of a complaint, which does not have to be written and signed. This bill also adds a civil penalty option for those breaking cervid laws, as opposed to only the current criminal charge, to make this more similar to other animal health program. These changes will allow for better oversight of current requirements.

KDA has also worked with cervid producers to reach an agreement on increasing the fee cap for cervid operations. It is important to note that the amount set in statute is simply a cap or

maximum and that KDA and the cervid producers have outlined an intended fee schedule below this cap ranging from \$100 to \$200 per producer, depending on number of cervids owned.

The new section 2 of the bill also provides KDA needed access to Chronic Wasting Disease (CWD) test results. KDA must receive these results in order for Kansas to maintain CWD consistent state status for the federal CWD Herd Certification Program. This is a voluntary federal program, but one in which Kansas producers need the opportunity to participate, as it is critical to their ability to move cervids between states.

Moving to the poultry authority portion of the bill in section 3, Kansas law gives the Kansas Poultry Improvement Association, which was historically housed at K-State, the authority to implement the National Poultry Improvement Plan (NPIP) in Kansas. NPIP was established to use diagnostic tests to eliminate Pullorum Disease caused by *Salmonella pullorum*, which was rampant in poultry and could cause upwards of 80 percent mortality in baby poultry. The program was later extended and refined to include testing and monitoring for other diseases that affect bird populations. In response to a request from K-State, NPIP testing moved to the then Kansas Department of Animal Health, now the Kansas Department of Agriculture's Division of Animal Health, approximately 10 years ago. Despite NPIP testing being transferred from K-State, statutory authority was never changed. KDA supports giving NPIP testing authority to the Kansas Department of Agriculture in order to reflect current practices.

Finally, you'll notice at the beginning of the bill there are some animal health statutes listed for repeal. A handful of outdated animal health statutes repealed by the 2012 legislature were unintentionally reintroduced with technical amendments in the trailer bill for executive reorganization order 40. These repeals of statutes no longer used by the animal health program are included in the 2013 bill.

Thank you for the opportunity to speak with you today. I will stand for questions at the appropriate time.