

## HOUSE BILL No. 2763

By Committee on Agriculture

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9 AN ACT concerning agriculture; relating to livestock; premises registra-  
10 tion and animal identification and tracking system; amending K.S.A.  
11 2005 Supp. 47-674 and repealing the existing section.  
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13 *Be it enacted by the Legislature of the State of Kansas:*

14 Section 1. K.S.A. 2005 Supp. 47-674 is hereby amended to read as  
15 follows: 47-674. (a) The livestock commissioner is authorized to cooperate  
16 with the United States department of agriculture, other state govern-  
17 mental officials, tribal officials and representatives of private industry, and  
18 subject to the provisions of ~~subsection~~ *subsections (d) and (k)*, to prom-  
19 ulgate rules and regulations, to define premises where animals are located  
20 and to develop and implement a voluntary premises registration and an-  
21 imal identification and tracking system for Kansas.

22 (b) In the development of such system, the livestock commissioner  
23 shall ensure that:

24 (1) The requirements are consistent with the federal program and  
25 with the United States animal identification plan;

26 (2) the costs and paperwork requirements are minimized for the reg-  
27 istrant and the state; and

28 (3) the program is not duplicative of or in conflict with proposed  
29 federal requirements.

30 (c) The livestock commissioner is authorized to prepare for the im-  
31 plementation of a premises registration program for Kansas prior to im-  
32 plementation of a national animal identification or premises registration  
33 system. Such acts in preparation shall include, but not be limited to,  
34 public hearings, educational meetings, development of proposed rules  
35 and regulations and cooperative development with the department of  
36 agriculture of a proposal regarding infrastructure necessary for such  
37 implementation.

38 (d) If, the United States department of agriculture issues proposed  
39 or final uniform methods and rules or regulations for the implementation  
40 of a voluntary national animal identification and tracking system or prem-  
41 ises registration system, or the congress of the United States enacts  
42 requirements for a voluntary national animal identification and tracking  
43 system or premises registration system, *subject to the provisions of sub-*

1 *section (k)*, the livestock commissioner is authorized to promulgate such  
2 rules and regulations as may be reasonably necessary to implement vol-  
3 untary premises registration and the national animal identification and  
4 tracking system to the extent authorized by federal requirements.

5 (e) Subject to appropriations therefor, the livestock commissioner is  
6 authorized to hire, in accordance with the civil service act, not more than  
7 two employees for the purpose of carrying out the provisions of this  
8 section.

9 (f) The livestock commissioner is authorized to enter into agreements  
10 with federal agencies or officials, other state agencies or officials, tribal  
11 officials or the owner of animals or such owner's authorized agent to  
12 coordinate efforts and share records and data systems pursuant to law to  
13 maximize the efficiency and effectiveness of this section.

14 (g) Any data or records provided or obtained pursuant to this section  
15 to an official of the animal health department shall be considered confi-  
16 dential by the animal health department and shall not be disclosed to the  
17 public. The provisions of subsection (b) of K.S.A. 45-229, and amend-  
18 ments thereto, shall not apply to the provisions of this subsection.

19 (h) Any federal financial aid or assistance, grants, gifts, bequests,  
20 money or aid of any kind for premises registration or animal identification  
21 and tracking in Kansas, shall be remitted to the state treasurer in accord-  
22 ance with the provisions of K.S.A. 75-4215, and amendments thereto.  
23 Upon receipt of each such remittance the state treasurer shall deposit the  
24 entire amount in the state treasury to the credit of the premises registra-  
25 tion and animal identification fund, which fund is hereby created. All  
26 expenditures from such fund shall be made in accordance with approp-  
27 riations acts upon warrants of the director of accounts and reports issued  
28 pursuant to vouchers approved by the livestock commissioner or by a  
29 person designated by the livestock commissioner and shall be used solely  
30 for the administration of the voluntary premises registration or animal  
31 identification and tracking system.

32 (i) The livestock commissioner shall form study groups representing  
33 the various animal species to be affected by the provisions of this section.  
34 Each such study group shall include representatives for each such specie  
35 selected by the livestock commissioner and shall include assistance from  
36 the secretary of agriculture or the secretary's designees. Each such study  
37 group shall make recommendations to the livestock commissioner re-  
38 garding the development of premises registration, animal identification  
39 and tracking for purposes of such systems, appropriations and fees nec-  
40 essary in administration of the program, enforcement provisions neces-  
41 sary in administration of the program and other issues related to the  
42 administration of the program.

43 (j) The livestock commissioner shall prepare a report and present

1 such report to the legislature by February 1, 2006, on the status of the  
2 state and federal voluntary premises registration and animal identification  
3 and tracking systems. Such report shall include the recommendations of  
4 the livestock commissioner, appropriations and fees necessary in admin-  
5 istration of the system, enforcement provisions necessary in administra-  
6 tion of the system and any other recommendation deemed necessary by  
7 the livestock commissioner to carry out the provisions of this section.

8 *(k) Notwithstanding any provision of law to the contrary, neither the*  
9 *livestock commissioner nor any other official of the state of Kansas shall*  
10 *require and implement a mandatory premises registration and animal*  
11 *identification and tracking system in Kansas prior to promulgation of*  
12 *rules by the United States department of agriculture that implement man-*  
13 *datory country of origin labeling.*

14 Sec. 2. K.S.A. 2005 Supp. 47-674 is hereby repealed.

15 Sec. 3. This act shall take effect and be in force from and after its  
16 publication in the statute book.