

HOUSE BILL No. 2449

By Committee on Appropriations

1-12

1 AN ACT concerning livestock; relating to the Kansas equine education
2 and promotion board.

3
4 *Be it enacted by the Legislature of the State of Kansas:*

5 Section 1. As used in this act:

6 (a) "Board" means the Kansas equine education and promotion board.

7 (b) "Commercial equine feed" means manufactured feed, supplement
8 or premix specifically intended and labeled for equine use; and

9 (c) "Consumer" means a person who buys commercial equine feed
10 for final use and not for resale.

11 (d) "Equine" means horses, ponies, donkeys, mules and miniatures.

12 Sec. 2. (a) There is hereby established the Kansas equine education
13 and promotion board.

14 (b) The board shall consist of seven members, who shall be Kansas
15 residents, who shall be appointed as follows:

16 (1) Three equine owners, not all of the same political party, as elected
17 by the Kansas horse council; and

18 (2) four members of the Kansas horse council as appointed by the
19 board of directors of such council.

20 (c) The executive director of the Kansas horse council and the
21 secretary of agriculture or the secretary's designee, provided such designee
22 is an equine owner, shall serve as *ex officio* members of the board.

23 Sec. 3. In the administration of this act, the board shall have the
24 following duties, authorities and powers to:

25 (a) Conduct a campaign of market development and public awareness
26 through research, education and promotion;

27 (b) support research and public education of equine-related issues;

28 (c) accept grants and donations;

29 (d) sue and be sued;

30 (e) enter into such contracts as may be necessary or advisable for the
31 purpose of this act;

32 (f) appoint an administrator who is knowledgeable about the equine
33 industry and with the approval of the board, such administrator may
34 appoint such other personnel as is needed;

35 (g) cooperate or contract with any local, state or national organization
36 or agency, whether voluntary or created by the law of any state, or by

1 national law, engaged in work or activities similar to the work and
2 activities of the board, and to enter into contracts and agreements with
3 such organizations or agencies for carrying on a joint campaign of
4 research, education and promotion;

5 (h) establish an office of the administrator at any place in this state
6 the board may select;

7 (i) adopt, rescind, modify and amend all necessary and proper orders,
8 resolutions and rules and regulations for the procedure and exercise of its
9 powers and the performance of its duties;

10 (j) submit an annual report to the secretary of agriculture within 90
11 days of the end of each calendar year, detailing the collections,
12 disbursements, refunds, administrative expenses and any other information
13 concerning the operating expenditures of the board.

14 Sec. 4. (a) The board shall establish an assessment of no greater than
15 \$2 per ton of commercial equine feed sold in Kansas.

16 (b) The board shall negotiate and contract with a person or persons to
17 collect, disburse and refund assessments pursuant to this act.

18 (c) Each manufacturer shall deduct the assessment from the amount
19 received from the sale, shipping or disposal of such feed in Kansas, and
20 shall remit such assessment to a bank account designated by the board
21 either monthly, quarterly, or twice annually in coordination with annual
22 tonnage tax reporting, as determined by the board.

23 (d) The board shall furnish receipt forms to every manufacturer of
24 commercial equine feed that sells, ships or otherwise disposes of such feed
25 in Kansas.

26 (e) Any consumer who desires a refund of the assessment may make
27 a written demand, including satisfactory proof of purchase, to the board
28 within one year of the purchase of such feed.

29 Sec. 5. (a) The board shall use assessment funds to issue grants for
30 the:

31 (1) Support of research and public education for equine-related
32 issues;

33 (2) promotion of the development and uses of equine in the state; and

34 (3) creation of public awareness of the value of equine activities in
35 the state.

36 (b) The board may use assessment funds as reasonably necessary for
37 the payment of claims based upon obligations incurred in the performance
38 of this act and to carry out the administration of such board's duties under
39 this act, including, but not limited to, reimbursement of reasonable travel
40 and other expenses incurred by the members of the board in discharging
41 such member's duties.

42 Sec. 6. This act shall take effect and be in force from and after its
43 publication in the statute book.