

Approved _____

3/27/86
Date

MINUTES OF THE SENATE COMMITTEE ON FEDERAL AND STATE AFFAIRS

The meeting was called to order by Senator Edward F. Reilly, Jr. at
Chairperson

11:00 a.m./~~p.m.~~ on March 26, 1986 in room 254-E of the Capitol.

All members were present except:

Senator Anderson was excused.

Committee staff present:

J. Russell Mills, Legislative Research
Emalene Correll, Legislative Research
June Windscheffel, Secretary to the Committee

Conferees appearing before the committee:

The Minutes of the Meeting of March 20, 1986, were given to the Committee. Senator Arasmith moved that the Minutes be approved. 2d by Senator Martin. Motion carried.

The Chairman said that copies of a handout from Mrs. Linda Meredith, concerning items of incidents of cruelty to animals, were being distributed to the Committee for their information. (Attachment #1)

The Chairman stated that he had asked Russell Mills to review bills in the Committee. He said he also wanted to know the pleasure of the Committee as to what hearings they would like.

Staff reviewed the following bills:

HB2316 - relating to land surveys; concerning the payment of the cost incurred in establishing corners and boundaries of property

HB2655 - amending the prison-made goods act

HB2820 - concerning filing of charges for cruelty to animals

HB2956 - relating to licensure of certain persons and facilities dealing with animals.

HB2821 - relating to enforcement of open meeting requirements

HB2828 - concerning school buildings, construction standards

There was discussion by the Committee on the bills, and the Chairman and Committee agreed on further handling.

Then the Chairman called the Committee's attention to

SB701 - disposition of moneys recovered by crime victims reparations board.

There was Committee discussion, but no action was taken.

SB731 - concerning sale of prison made goods to private industry for use in its product

was then brought to the Committee's attention. There was Committee discussion. Senator Walker moved that SB731 be recommended favorably for passage. 2d by Senator Vidricksen. Motion carried.

The meeting was adjourned.

Pet faces charges in store pet killing

Dr. Ernie Thomas McCormally
Overland Park — Police
at several charges of cruelty
animals to be filed this
against Overland Park
veterinarian Dr. Ernie Thomas.

Many of the charges stem
from incidents when sick ani-
mals were killed in cruel ways,
according to Capt. John Round,
commander of the Overland
Park police investigations divi-
sion.

The District Attorney's office
will make the decision on how
many charges will be filed, but
Round said Thomas, manager
of the Doktor Pet Center could
face "several" counts of cruelty
to animals.

Under state law, cruelty to ani-
mals is a Class B misdemeanor.
Upon convictions, each
count is punishable by a fine up
to \$1,000 and six months in jail.
If convicted, an attempt could
be made to have Thomas' veteri-
nary license taken away,
Round said.

Wendell Maddux, a spokes-
man for the
See Page 8

Pet shop owner charged with 11 counts of cruelty

An Overland Park pet
shop owner surrendered
himself on Monday on 11
counts of cruelty to ani-
mals.

Dr. Ernie Thomas,
owner of the Doktor Pet
Center in the Metcalf
South Shopping Center,
remains free on bond
and will be formally ar-
raigned on 11 counts of
cruelty to animals
tomorrow afternoon in
Johnson County District

Court.

According to District
Attorney Dennis Moore,
the charges are Class C
misdemeanors, the
least serious criminal
charge under Kansas
law. Upon conviction,
Class C misdemeanors
carry a maximum \$500
fine and a maximum
one month jail sentence
on each count.

Overland Park police
launched an investiga-
tion of the pet store
weeks ago, according to
Capt. John Round. The
case received metropol-
itan-wide publicity last
week during a week-
long KCTV in-
vestigative series.

According to police,
Thomas allegedly used
cruel means to kill and
dispose of several sick
animals at the pet store.

"The concern from
the public has been in-
credible," said Moore.

Vet

From Page 1

man for Animal Kind, said that
group plans to picket the store
on the middle level of Metcalf
South mall this weekend.

The cruel incidents at the
business allegedly have been
going on for several months,
Round said.

Police have talked with seven
or eight former employees of
the store, Round said. All those
interviewed told similar stories
of cruelty, he said. Round said
Thomas has refused to talk with
police on the advice of an at-
torney. Current employees have
also refused to talk to in-
vestigators.

Former employees told police
that the veterinarian used the
same needle on several animals
without sanitizing it. Other
allegations are that the doctor
put a dying puppy in a trash bag

and then deposited the dog in a
trash compactor and put sick
and dying gerbils and ham-
sters down the garbage disposal
in the back room of the Metcalf
South clinic. One former worker
said both live and dead birds
were put down the garbage
disposal, Round said.

In the cases where sick ani-
mals were killed, Round said
the animals probably would
have died anyway, but there are
more humane ways to end the
pets' lives. The puppy, for ex-
ample, was infected with the
deadly parvo virus, he said.

A thick folder filled with in-
terviews with the former em-
ployees was expected to be pre-
sented to the District Attorney's
office Thursday afternoon.

Round said police started
their investigation after recei-
ving a call from the Denver

Humane Society. Evidently, one
of the former employees of the
Doktor Pet Center in Overland
Park, told some friends in Den-
ver about the cruel incidents.
Those friends in turn called the
Denver Humane Society, who
notified Overland Park police,
Round explained.

About the time police began
investigating the pet center,
Round said police became
aware of a KCTV investigation
into the same things. The televi-
sion station has been running
reports on the subject this week.

In response to the TV expose,
Nancy Archer, manager of the
Humane Society of Greater
Kansas City, said the office has
been flooded with phone calls
from outraged citizens, many
offering their assistance to get
the cruelty stopped. "People
are really appalled," she said.

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MEMBER OF THE ASSOCIATED PRESS

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Ways to Fight Cruelty

Two excellent proposals to strengthen animal cruelty laws are pending before the Kansas House. One would require county or district attorneys to prosecute valid cases of cruelty which are brought to their attention. Too often, law enforcement officials put these cases aside because they don't think the cases are important. The animals continue to suffer, or die, because no one will take the action to help them, even though cruelty and neglect are prohibited under the law.

A second bill would prohibit animal care professionals convicted of cruelty from continuing to work with animals in the same, or another, capacity. It would apply to veterinarians, animal pounds, shelters, research facilities, animal dealers and pet shop operators.

The proposed law requires authorities to revoke state certificates of registration or licenses upon a conviction for this offense unless the employee or officer was automatically dismissed from the business or facility.

It does not apply to farmers, or to private owners of pets.

There have been instances where animal abusers have gone right back to doing what they were doing after they were caught. There's no sense in allowing this to go on, for the welfare of animals, as well as for protection of the public, which has every right to expect that a pet shop or animal dealer will offer healthy, well-cared-for animals, and a veterinarian will provide good care for pets.

State Rep. Ginger Barr, Auburn Republican, has sponsored or pushed for these changes in the Kansas law. They get at a problem which continues to occur because people in charge let it. Those who have caused animals to suffer should lose their privileges of working with the creatures again. And those who are charged with bringing the law to bear must be required to do their duty. The Legislature should strengthen Kansas anti-cruelty laws with these additions to the statutes.

Animal Law in Kansas

K.C. Times

March 20, 1986

Kansas legislators need to strengthen the state's animal abuse law with passage of two important bills this session. Those bills, now before the House for debate, require county and district attorneys to prosecute cases of animal cruelty, and prohibit animal care professionals from working with animals if they have been convicted of abusing them. These are good bills.

They come before lawmakers when dog and horse racing is a prime topic in Kansas. There are excellent humane reasons for lawmakers to vote against pari-mutuel gambling. But no matter how they stand on racing, the legislators should vote to make the needed changes in the Kansas cruelty law. If pari-mutuel horse and dog racing are permitted by the people of Kansas, stronger laws are going to be needed to take care of the many humane problems which are bound to occur. In the case of dogs, many more are raised than qualify for the races and those who don't

make it often meet death unpleasantly.

Some legislators apparently would like to mix the two issues by voting for the two animal cruelty bills if humane groups will look the other way on pari-mutuel gambling. The issues are separate, and because dog racing particularly has been shown elsewhere to foster cruelty, it is appropriate for those who care about animals' treatment to be out in full force on this one.

That doesn't make it any less important that the Legislature also close loopholes which now permit people who have abused animals to continue to do so.