

Approved

5/2/86
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. ~~pm~~ on April 3, 1986 in room 254-E of the Capitol.

All members were present ~~except~~:

Committee staff present:

J. Russell Mills, Legislative Research
Emalene Correll, Legislative Research
Mary Torrence, Assistant Revisor of Statutes
June Windscheffel, Secretary to the Committee

Conferees appearing before the committee:

Linda Meredith, Topeka
Mr. Larry Tenopir, Legal Counsel to the State Fire Marshal

HB2828 - construction codes applicable to school buildings.

The Chairman introduced Mr. Larry Tenopir, of the State Fire Marshal's Office. He said this is a clean-up in nature to allow them to adopt newer additions of building codes, electrical wiring codes, et cetera. They also offered section (h) concerning regulations. Copy of statement remarks is part of these Minutes. (Attachment #1) Senator Morris moved that Sec. 1(h) be deleted. 2d by Senator Hoferer. Motion carried. Senator Morris moved to recommend HB2828 favorably as amended. 2d by Senator Strick. Motion carried.

HB2820 - prosecutor's duties with respect to complaints alleging cruelty to animals.

A letter was distributed to the Committee from Mr. Kenneth Dugas concerning the inhumane treatment of animals in the Overland Park pet shop, and where he had at one time been a manager. (Attachment #2) He pointed out that the veterinarian who had owned that pet shop now has a kennel near Topeka. Mr. Dugas said it had been hard to report these cruelties to the authorities and others, as he felt he would never work in a pet store in the city again.

Senator Hoferer moved to recommend HB2820 favorably. 2d by Senator Anderson. Motion carried.

HB2956 - persons convicted of animal cruelty not eligible for certain licenses

The letter from Mr. Dugas would also apply to this bill. There was more Committee discussion. Senator Hoferer made the conceptual motion that the Committee adopt language for Staff to draft dealing with expungement and also with the policy statement of disclosure if one has been convicted. 2d by Senator Walker. Motion carried.

Linda Meredith interjected the information that the doctor in question has a federal license illegally. She said it is in the former owner's name and she cannot get them to do anything within the USDA law.

Senator Reilly asked Senator Morris, Senator Martin and Senator Hoferer to meet to work with the conceptual motion and report back to the Committee, possibly by Monday.

HB2655 - expansion and enforcement of use of prison-made goods.

The Chairman announced that Mr. Cowger from the Department of Corrections would like to come back to visit with the Committee at a later date. The Chairman pointed out the importance of being very cautious in view of the impact it could have.

The meeting was adjourned.

Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.

4/3/86
Attachment #1



Kansas State Fire Marshal Department
503 Kansas Avenue, Suite 303
Topeka, Kansas 66603-3407
Phone (913) 296-3401

"Where Fire Safety Is A Way Of Life"

April 4, 1986

Mrs. June Windscheffel
255-E, Kansas Statehouse
BUILDING MAIL

STATEMENT OF LAWRENCE L. TENOPIR. Legal Counsel to the State Fire Marshal
April 3, 1986

The State Fire Marshal supports H.B. 2828 which updates certain referenced codes which are required to be met in school building construction.

We also offer section (h) which would allow future changes to be made by the State Fire Marshal by regulation so as to not take up legislative time with mostly routine code updating.

An Equal Opportunity Employer

Sen. Fed. & State Affairs
Attachment #1 4/3/86

4/3/86
Attachment #2

3409 Wyandotte Apt #12
Kansas City, Missouri 64111

Representative Barr
State Capital
Topeke,
Kansas

Dear Representative Barr:

My name is Kenneth Dugas and I'm the former manager of a pet store which was in the news, in Overland Park, Kansas. I don't know if my letter will do any good or help the bill that is coming up before the Senate, but I hope it will.

I have been working in pet stores for about 4 years and I've managed three including the one in Overland Park, Kansas. In those four years, I have had to destroy pets. If this is done humanely, this doesn't bother me. What I witnessed at the Overland Park store was anything but humane. I'd like to tell you a few of the things that were done.

First of all, birds were ordered in lots of 200 or more, and when the store receives that many parakeets, they are bound to get some that are sick or have french moult. Some even suffered from calcium deficiency. Instead of giving them away or giving them a shot, the live birds were stuffed in the garbage disposal and ground up. The same was done with the rodents that were sick or fighting or overstocked. Sometimes they were given away, but if we were stuck with them for over 2 weeks, they were destroyed or turned loose in a field in Blue Springs.

I was told to use the disposal to destroy four 3-week old kittens that were brought in and left. I couldn't do it, and I got on the phone, found them a home, and sold nursing bottles and kitten milk replacement with them. There was no reason to destroy them.

Once there was a puppy that came down with distemper. It was brought through the disease and had a relapse. Instead of giving him an injection to put him out, he was thrown into a plastic bag sitting on the floor and taken to the trash compactor and crushed. I know the pup was still alive because I heard him whimper when he hit the floor.

All the animals were subject to cruelty, even the ^{Large}~~caged~~ birds. They would come in scared, 3 in cramped shipping containers. If that wasn't enough, when they arrived they were taken to the bathroom and hit in the head with perches until they were either submissive or knocked out. This was done by a veterinarian.

The same vet was brought pet rabbits given to him by a child. The child was assured that we'd find them a home, and instead, the rabbits were given to the maintenance girl to take home and eat. These pet rabbits wore collars, were trained to a cat litter box, and came when called. They could have been given away with the purchase of a rabbit kit.

Some of the over crowding could have been avoided if just a simple rule of thumb was followed; 2 gallons of aquarium per rodent. Sometimes there were as many as 30-40 hamsters or gerbils to a fifteen gallon aquarium.

Ferrets were also abused. They were kept in the crowded dirty shipping container on the floor in the back room.

Cruelty is not this man's only crime. He also sold mix breed pups and kittens for pure bred, when he often received them for free.

Now I hear that this man has gotten a kennel near Topeka. This worries me because, while he was just talking about it, we discussed things like hormone treatments to make bitches come in season more often to enable breeding them 3-4 times a year for 4 years. If the bitch needed a cesarian, she would be crashed (left to die) because it took too much time and money. Some brood bitches would never touch the ground. He bred bixed breed kittens for sale at his stores, and the list goes on and on.

I know these things because he took me into his confidence. I also know now that these were common practices at his store in the south.

I quit the store just as soon as I could afford to. It probably looks bad that I stayed as long as I did, but I was in a strange town with no references and just couldn't quit. As soon as I found something, I did.

It was really hard to go to the Humane Society, television, and the police because I realize I'll never work in a pet store anywhere in the city again. That's hard, as I was the top salesperson in all the stores I had previously worked, and one of the top 100 salespersons in this company in 1984.

I've had to cut back on living expenses. I quit a \$6.00 an hour job (plus a percentage of the profits), to go to work as an orderly making \$3.65 an hour. I don't regret it though, as I needed to get out of there.

Now I just hope that this bill can be passed, since I am willing to come to Topeka and tell the committee these same things under oath.

I can't be written off as a disgruntled employee. I quit, took a large cut in pay, and did this of my own accord. I wasn't fired, and since I quit and the story has come out, I've been threatened, harrassed, and had to move. My W-2's were withheld until the last possible minute.

I'm not sorry one bit about all the hassle, and would do this all over again if necessary.

Sincerely

Ken Dugas

p.s. THE STORE HAS A SIGN UP SAYING "UNDER NEW MANAGEMENT". THE EMPLOYEES ARE LEADING PEOPLE TO BELIEVE ITS BEEN SOLD, BUT IT HASN'T, AND HE STILL IS VERY ACTIVE THERE.