

Approved: 2-2-95
Date

MINUTES OF THE SENATE COMMITTEE ON AGRICULTURE.

The meeting was called to order by Chairperson David Corbin at 10:00 a.m. on January 30, 1995 in Room 423-S of the Capitol.

All members were present except: Quorum was present

Committee staff present: Raney Gilliland, Legislative Research Department
Jill Wolters, Revisor of Statutes
Lila McClafin, Committee Secretary

Conferees appearing before the committee:

Madelon Downey, Wichita, Ks
Steve Smith, Sedgwick County Zoo
Mark Reed, Executive Director, Sedgwick County Zoo
Renee Harris, Lawrence Humane Society
Dr. Virginia Skinner, Peabody, Ks
Larry Woodson, Dept of Agriculture
Darrell Monti, Kansas Wildlife and Parks
Don Bartel, Potwin
John Smith, Buzyrus, Ks
Gary Allen
Brad Farmer, Viola, Ks
Christopher McDonald, Peabody, Kansas Exotic Animal Owners Association
Clay Walker, Mulvane, Ks
LaDonna Lickteig, Lawrence, Ks

Others attending: See attached

Chairperson Corbin said the hearing would continue on **SB 47** - concerning animals; relating to exotic wildlife, exotic livestock and inherently dangerous animals; licensing exotic livestock markets and inherently dangerous animals; prohibiting red deer from the state. He said the first conferee was Madelon Downey the mother of the child who was attacked by an African Lion in Butler County last February.

Madelon Downey told of her son Brian being attack by an African Lion last February, when he was invited by the owners to come in and pet her (Attachment 1).

Steve Smith testified in support of **SB 47**. He said if we must allow ownership of exotic pets, we must set up minimum standards for housing and care for these animals (Attachment 2).

Mark Reed testified in support of **SB 47**. He requested that the zoos and wildlife conservation centers in Kansas that are members of the American Zoo and Aquarium Association be exempted from the legislation. He offered the expertise and assistance of the professional staff of the Sedgwick County Zoo to assist in development of rules and regulations, definitions and care requirements (Attachment 3).

Renee Harris testified in support of **SB 47**. She said their shelter responses to numerous complaints each year involving exotic wildlife. Their greatest concerns involve the increased popularity of the wolf, wolf-cross dog (Attachment 4)

Virginia Skinner supported the bill, and recounted several experiences she had dealing with exotic animals. Another concern of hers is rabies control, as rabies vaccines are not licensed for use in wild animals or wild-domestic hybrids (Attachment 5).

Donald Bartel expressed concern with including the red deer in the bill. He ask that the definition of domestic deer be amended to include red deer (Attachment 6).

John Smith spoke in opposition to **SB 47**. He said their organization have an exotic auction each year and

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON AGRICULTURE, Room 423-S Statehouse, at 10:00 a.m. on January 30, 1995.

they are set up under Kansas statutes. He suggested the fee charges should be adjusted to a lesser amount.

Bradley D. Farmer spoke in opposition to **SB 47**. While he did not oppose the entire bill, he greatly opposed the sections that would prohibit the raising of red deer in the state. He further suggested that some of the terms be adequately defined, such as exotic wildlife, exotic livestock, and inherently dangerous animal (**Attachment 7**).

Christopher McDonald said they opposed **SB 47** as it is currently written, and he recommend some changes they would like. They offered to work with the committee to create effective legislation that would protect the public (**Attachment 8**).

Gary Allen spoke in opposition to **SB 47**.

Donna Lickteig said it should be checked to make sure that people have proper housing available for animals before they are allowed to purchase them.

Clay Walker is the owner of Walker Exotic Auction, and they hold two exotic auctions per calendar year. His testimony is in opposition to **SB 47** (**Attachment 9**).

Larry Woodson recommended an amendment to **SB 47**. The amendment speaks to the section concerning Red Deer, and adds language dealing with the slaughtering of Red Deer (**Attachment 10**). He responded to questions.

Darrell Moneti supported the concept of the bill, but had some concerns with the responsibilities that would fall heavily on the Kansas Wildlife and Parks (**Attachment 11**). He responded to questions.

Catharine A Deever testimony supporting **SB 47** was distributed (**Attachment 12**).

Kansas State University, Department of Clinical Sciences, signed by James W. Carpenter, MS, DVM, Dipl, ACZM, James K. Morrissey, DVM, Intern, Sandra Wilson, DVM, Resident, and Christine Kolmstetter, MS, DVM, Intern their testimony supporting **SB 47** was distributed (**Attachment 13**).

George Teagarden and Mark LaRue were unable to testify due to time restrains. They were asked to return on Monday, February 6, to be heard. The meeting adjourned at 11:02

The next meeting is scheduled for January 31, 1995.

SENATE AGRICULTURE COMMITTEE GUEST LIST

DATE: 30 Jan 95

NAME	REPRESENTING
Chris Mc Donald	K.E.A.O.A.
Clay Walker	WALKER Exotics
Lalonna Lichteig	Lichteig Exotics
Brook Farnum	Central States Venison Prod.
Robert Farmer	"Farmer's" Fallow Deer Farm
Dave Bartel	Bartel Farms
Lyrr Kaufman	Underhill Farm
Madelon Downey	Regulating Bred. Exotics
Bruce Wells	Exotics Paq.
Virginia Skinner, DVM	private veterinarian
Mary & Phyllis Allen	Mid-America Exotics
Dan Pass	Exotic Auctions
SUSAN S. DAGGETT	Sierra Club
LARRY DAGGETT	SIERRA CLUB
Renee Harris	Lawrence Humane Society
SUSAN L. SMITH, J.D.	Regulating Exotics, etc Foulston & Siekin
ELLEN Querner	Self
KEVIN TERRELL	PARADISE RANCH
STEVE SMITH	Sedowick County Zoo

SENATE AGRICULTURE COMMITTEE GUEST LIST

DATE: 30 Jan 95

NAME	REPRESENTING
DAVID TRAYLOR	EMPORIA ZOO
Mark C Reed	Sedgwick Co. Zoo
John Sump	HOA GBA
Mike LaRue	Topeka Zoo
Debra Duncan	Animal Health
George Teagarden	"
Catherine A Deemer	Ks. Vet. Med. Assoc.
Vicki Skær	K. V. M. H.
Bill Guffey	Sierra Club
Bianca Storlazzi	"
Greg Bryant	"
Bill SKAER	KVMA - SELF
Don Wixom	Sunset Zoological Park ^{Manhattan, KS}
Paula Schrist	Senator Phil Martin
BROCK YAKEL	Senator Morris
Alan Holmes	Division of Budget
DARRELL MONTEI	KDWP
Kenneth M. Wilke	Ks. Dept of Ag.
Larry Woodson	" " " "

Before: Chairman, Senator David Corbin
Members of the Senate Agricultural Committee

Subject: Senate Bill 47

Date: January 30, 1995

My name is Madelon Downey of Wichita, Kansas and this is my son, Brian.

Of all the things I thought I had to worry about as a mother, an African Lion attack was not one of them. But on February 19, 1994, my son Brian, who was eleven at the time, was invited by the owners of an eighteen month old female African Lion to come in and pet her. The lion was chained in their backyard in Butler County. Brian was told the lion was tame. Brian petted the lion, who had been inhumanely de-clawed. As he was standing there, the lion raised up on her back paws, put her front paws on Brian's shoulders and grabbed a hold of his neck with her mouth. Growling, she took Brian to the ground. As you can imagine, Brian was paralyzed with fear. In fact, that is probably what saved him from serious injury or even death. The lion's teeth punctured Brian's skin in several places: at the base of his skull, neck and shoulder. Brian's injuries were not severe enough to require stitches but he did have to undergo the painful Rabies Vaccination. Ten days after Brian was attacked, this same lion attacked a twelve year old girl who was injured much more severely and the owners' twelve year old daughter was bitten while trying to help the other child get away from the lion. The lion ended up being euthanized. This could have ended in a tragedy for Brian and the other children. It certainly was a tragedy for the beautiful lion, even before she was destroyed.

*Senate Ag. Co.
1-30-95
attachment 1*

SEDGWICK COUNTY ZOO

5555 Zoo Boulevard
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FAX (316) 942-3781

Director

Mark C. Reed

**Sedgwick County
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Barry Schwan

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Roger W. Zellers

Henry G. Zigmata



I have been in the zoo field for fourteen years and I have been at the Sedgwick County Zoo for three years. I am very familiar with the problems that arise when private individuals possess exotic animals.

On average, I receive a call a month from someone who needs to place an exotic pet that they can no longer keep. Occasionally, but rarely, we can take one of these animals. Space is limited in terms of numbers of cages and numbers of animals we can put in each cage. This is not just the case for the SCZ, it's the case for all zoos.

Most exotic pets are hand raised in isolation in an effort to tame them. But littermates playing are learning how to interact with each other. If we try to take hand raised exotic pets in the zoo, they never fit in socially with their own kind. I have seen wolves and bears, animals that used to be pets that were tried in zoos. They didn't know how to read their own kind; they didn't respond appropriately to threats from cagemates so they were frequently injured. They didn't recognize submissive gestures from their cagemates so they often injured others.

When exotics are raised by humans, they lose their fear of humans and think they're supposed to interact with humans like they would with their own kind. A hand raised moose thinks it's supposed to mate with humans and may kill its well meaning owner in courtship. If the human survives the courtship, having denied the bulls advances, the human is now threatened by an irate bull who assumes this human is a competing suitor!

Most people purchase exotic pets when the animals are young. When these animals reach maturity, their behaviors change, they become unmanageable. Take for example lions. I'm sure you've seen TV documentaries on prides of lions with cubs. What do you see the cubs doing? Usually they're playing and having fun. Do you see the older animals playing? Maybe they'll play with the cubs, but there is rarely play amongst adults. Life takes on new meaning to adults. Playtime is over. This change is initiated from within. You'd be sadly mistaken to think that because you show a wild animal love and affection you can change the nature of the beast. In the wild or in your backyard, when they grow from cub to lion, pup to wolf or cub to bear play time is over; they become dangerous.



AMERICAN ZOO AND AQUARIUM
ASSOCIATION

The Sedgwick County Zoo is an
AZA accredited institution.

The huge Great Plains Grizzly reigned supreme in this area before the coming of white man. Capable of preying upon full grown bison, this magnificent creature and his fellow plains dweller, the Indian, treated each other with respect. The fearlessness of the bear made him vulnerable to the white man's guns and he was probably the first wild animal to be exterminated in Kansas. We have used his footprint to remind us that he is no more, and that the bear family is an endangered group the world over. The outline of the Sedgwick County Zoo encloses the print to indicate that zoos are often the last refuge that an ever-increasing human population will allow the vanishing wildlife of the world.

*Senate Ag. Co.,
1-30-95
Attachment 2*

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Many potential owners of exotic dangerous animals are ignorant as to the distinction between domesticated and tame animals. Domestication takes hundreds or thousands of generations. If I want a safe tiger, I need to select the gentlest tiger over hundreds of generations in order to produce a domesticated tiger. Someone may attempt to tame a tiger from each generation but that doesn't guarantee safety. Taming is the behavioral conditioning of an animal to reduce it's flight or fight tendency. One can attempt to tame each generations gentlest pick of the litter, but instinctual actions will still be present and one can still be attacked by a tame cat reacting.

If animals are raised deprived of natural cues that instigate natural behaviors, they become hypersensitive to any similar cues. In other words they overreact at minimal provocation. We see that in our hoofed animals. In the zoo, they don't have to run from predators on a daily basis as they might in the wild so when some slight stimulus startles them in the zoo, they overreact and run hard and fast. The same conditioning occurs with an exotic pet, with a carnivore. Their owner or a visitor does something slightly wrong, either something that threatens the animal or shows weakness and the cat overreacts and does serious damage.

One may be attacked if one gets too close to a tame tiger's food. One could be attacked when running for the phone: the act of running stimulates the tame tiger to chase down it's fleeing prey. Most likely, an owner will one day be attacked by a tiger that has reached maturity and much to that owner's surprise has given up playful interactions.

In the beginning of October, the zoo's veterinarian Dr. Bryant, myself and other SCZ staff went to Colorado to relieve a private owner of his pet wolves. He had them since they were pups. He could no longer go in with them without the dominant male attacking him. The natural drive in the social male wolf is to try to be the dominant animal in the pack. This applied to everyone in the pack, including the owner whenever he entered the wolfs' enclosure. These were once tamed animals. They're not domesticated. They're not pets. They're wild animals and as this gentlemen found out, taming is not permanent in wild animals.



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Half wolf half dogs are worse than wolves in regards to their potential for attack. The wolf half preserves some of the unpredictable instinctual reactions and the dog half removes some of the wild animals natural fear of humans. Wolf hybrids are more apt to attack than a full blooded wolf who would normally flee from a human.

Did you ever watch carnivores at a zoo when a family goes by. If they're watching the visitors, they always eye the children because the children are the easiest prey. That's an instinctual discrimination they make. In the wild they look for the old, the sick or the young. They look for the easy prey. Our children, in the mind of the wild carnivorous pet, are easy prey. If your six foot, two hundred fifty pound neighbor owns a lion, has no children and has an escape, your child is at the greatest risk, your child is the animals first choice for prey.

When God created these creatures, he created more than just a physical entity. He created a behavioral repertoire that fits that animals habitat and lifestyle. Though a zoo professional, I'll be the first to admit, wild animals were not meant for captivity. Environmental enrichment has become a major responsibility of zoo staff. Keepers spend a portion of each and everyday providing enrichment to their keeps to prevent boredom or neurotic behaviors. A pet lion staked to a chain in someones back yard serves no purpose for other lions or for conservation. A pet lion by itself denies the socializing behavioral repertoire God put into that cat. Zoo animals serve a greater purpose than any exotic pet. Perhaps this is idealistic, but it's an ideal I believe in and I believe it works. Exotic animals in zoos serve as dignitaries for their species. They serve to assist in our attempt to instill in our visitors thoughts of appreciation and conservation for wildlife and their habitats.

If we must allow ownership of exotic pets, we must set up minimum standards of housing and care for these animals. At stake is the welfare of the animals, the welfare of ignorant potential owners and the welfare of those who become victims of this ignorance, both human and otherwise. Thank you.

John E. Schmitt
Curator - Mammals



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**Sedgwick County Zoo's Response
to Senate Bill Number 47**

The Sedgwick Zoological Society and the professional staff of the Sedgwick County Zoo support the full intentions of Senate Bill Number 47. Our staff was very involved in public hearings last fall. We have also attended, for our own education, animal auctions and seen the inherent problems associated with this essentially unregulated industry. In fact, parts of the video shown by Ellen Querner of the Kansas Humane Society, were taken by Dr. Bryant, our staff Veterinarian. We all know of the horror stories in the zoo profession where, for lack of common sense and responsibility, an exotic pet animal inflicts severe injury or death upon a relative or neighbor of the owner.

By the very nature of our professional association, the American Zoo and Aquarium Association (AZA), we have direct concerns about exotic animals as pets and exotic animal auctions, where, unfortunately, many people obtain these inappropriate pets.

We can not talk everyone out of getting an exotic pet. We handle nearly 100 calls a year from inquiring individuals and we tell them of the 24-hour responsibility, the cost of food, the damage to and the impropriety of keeping an exotic animal. We always recommend that nothing makes a better pet than a cat or a dog. I can testify that I have turned down more than 80 lions and tigers in over twenty years in the zoo profession. They belonged to private individuals whose big cats had outgrown their cute, manageable stage; individuals who had just lost interest; or people who finally realized the danger of their "pet." The Zoo was not able to accept any of them. It is my belief that this Senate Bill Number 47 will do much to improve and correct a number of the concerns of the presently unregulated exotic animal industry.

However, I would request that the zoos and wildlife conservation centers in Kansas that are members of the American Zoo and Aquarium Association be exempted from this legislation. These institutions in Kansas are: Emporia Zoo; Garden City Zoo, Topeka Zoo, Manhattan's Sunset Zoo, the Rolling Hills Wildlife Center and Sedgwick County Zoo.

*Senate Ag Co
1-30-95
Attachment 3*



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If possible I would like to see my request for exemption expanded to all public, non-profit zoos of Kansas. The additional zoos are Dodge City Zoo, Hutchinson Zoo, Independence's Riverside Zoo, Great Bend's Britt Spaugh Zoo, and Clay Center Zoo.

I have been assured throughout these hearings that zoos are not the intended target of this bill. But, because "person" is defined as "means and includes any individual, partnership, corporation or association," I am concerned that a zoo could be included under that definition or at least not ruled out.

I'm sure we all agree that we have plenty of regulations governing all aspects of our lives. I feel this would be an unnecessary measure if applied to Kansas' public, not-for-profit zoos and in particular to those zoos that are professionally accredited by the AZA.

In conclusion, it is clear that there is a real challenge in the development of regulations, care requirements, definitions, and the determination of which exotic animals are truly dangerous and potentially harmful to people. Therefore, I offer the expertise and assistance of our professional staff to assist in this complex and difficult task.

**Mark C. Reed
Director**



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February 1, 1995

Senate Committee of Agriculture

Chairman and Members of the Committee:

My name is Renee Harris and am presently the Shelter Manager of the Lawrence Humane Society, 1805 E. 19th St. Lawrence, KS. We are greatly concerned about the existing, or non-existing laws regulating the care of, breeding, selling, and purchasing of the exotic wild-life and exotic livestock in Kansas. This year we have responded to numerous complaints involving black bear, cougars, gray fox, reindeer, and wolf, wolf-cross. The bear, cougars and fox were all purchased at exotic animal auctions in Kansas. One cougar that I am aware of was bought in Missouri and transported back to Kansas. In one incident a cougar, who was kept in the owners backyard, along with the family's pet rottweiler, broke free of the fence and wandered the streets of Lawrence until animal control was able to restrain and transport to the shelter. This animal is now being kept in a wood chicken wire pen with no socialization in Jefferson County.

One of our greatest concerns has involved the increased popularity of the wolf, wolf-cross dog. We have handled over twenty-five such cases. Again most of these animals were purchased at the exotic animal auctions. The largest percentage of wolf dogs we handle are of maturing age. They have outgrown the oddity and are now becoming difficult to handle. Although we do not wish to see these animals banned, we do feel that strict regulation and licensing is a must. In most cases these animals are purchased with no forethought. The Texas Gray Fox was a case where the individual bought the animal at the El Dorado exotic auction. They felt sorry for the fox who was ill and frightened. This animal escaped and was never recovered. We have also received complaints in regards to an individual who purchases exotic wildlife and releases it into the county. These animals have included bobcat, fox and coyote. These reports have not been substantiated however.

Lawrence Humane Society
Renee Harris
1805 E. 19th Street
Lawrence, KS 66046
(913) 843-6835

*Senate Ag Co
1-30-95
attachment 4*

302 N. Maple
Peabody, Kansas 66866

January 30, 1995

From: Virginia Skinner, DVM

To: Members of Senate Agriculture Committee

As a veterinarian for the past eight years, I have had an opportunity to view and work in several exotic animal facilities, including zoos, both in Kansas and California. Although I have seen one or two "back yard" exotic animal facilities in which the owners had carefully educated themselves regarding care of their animals, most of these facilities fall short of accepted standards. The AZA accredited zoos have set the standards according to which all exotic animal facilities should be regulated. Decades of research and experience have gone into establishing the AZA regulations.

Although some facilities may have been issued a state or federal permit, it often reflects nothing more than a brief visit and an official signature. In many cases, exotic animals do not even require licensing under Kansas law if the owner claims not to be selling offspring.

Another concern I have is rabies control. Rabies vaccines are not licensed for use in wild animals or wild-domestic hybrids such as wolf-hybrids. The Journal of the American Veterinarian Medical Association just reported last month a case of rabies in a wolf hybrid that had been vaccinated.

I have had several experiences recently that I would like to recount:

Last fall I listened to a seller at an exotics animal auction convince an uninformed buyer that a cougar cub would make a wonderful family pet. The same animal turned up for sale in the newspaper the next day because it became apparent it was not a pet.

A few months ago I was inspecting some month-old tiger cubs within the city limits of a small town in Marion County. The owner lead me around to the back of the chain-link fence pen. A dan box was attached to the pen, but not incorporated

*Senate Ag. Co.
1-30-95
attachment 5 5-1*

within it. The owner opened the door to the den box and crawled into the box with the female tiger and her cubs. I was horrified to realize there was nothing between me and a 400# female tiger. This is just one more graphic example of why we must regulate possession and sale of inherently dangerous exotic animals in Kansas.

Testimony
to the Kansas Senate Committee on Agriculture
regarding Senate Bill No. 47
by Donald Bartel

January 25, 1995

I am a farmer in Butler County. I raise alfalfa and oats, cattle, deer and elk. I am the current President of the Central States Venison Producers, Inc. I am here today to express my concerns with part of the proposed Senate Bill no. 47.

This bill seeks to outlaw the presence of red deer in Kansas. I would welcome red deer as a profitable agricultural endeavor. The red deer is a meat animal like the other meat animals that I farm. It even presents some advantages over the animals that I currently raise. It has more meat per carcass and is an easier animal to "handle" than the fallow deer from which I currently harvest and sell venison. It is a more efficient animal to feed than the cattle which I currently raise. Like the elk which I farm, I could harvest velvet from the antlers of a red deer; unlike the elk, the price of red deer is low enough to make it a viable and profitable meat alternative to beef.

It is possible for a red deer and an elk to breed and the offspring are a cross between the 2 breeds. This is the reason that I have heard given for outlawing red deer in Kansas. I guess it is feared that the farmer will allow his red deer buck to roam and impregnate one of the wild Kansas elk. I know of no farmer that would allow his sires to roam. Just like I keep my Angus bull home to breed my cows, I would keep my red deer home. This fear has no foundation. When cattle were imported to Kansas for agricultural purposes, they did not contaminate the wild buffalo populations. In fact, currently farmers make special efforts and arrangements to breed beefalo. The Animal Health Department has ruled that all domesticated deer must be enclosed in a fence. It has further ruled that a farmer will notify authorities in the event of an accidental escape. The chance of the escape occurring is very small; the chance of the red deer locating and impregnating a wild elk before recapture is microscopic.

I urge you to provide a legislative atmosphere that encourages viable agricultural alternatives. Please delete the exclusion of red deer from the definition of domestic deer.

Senate Ag. Co.
1-30-95
Attachment 6

My name is Brad Farmer. My father and I own and operate Farmer's Fallow Deer Farm, consisting of approximately 180 head of Fallow Deer along with our other traditional farming operations. I am also treasurer of the Central States Venison Producers and a member of the North American Deer Farmers Association.

I speak in opposition to Senate Bill 47. While we do not oppose the entire bill we take great opposition to those sections that would prohibit the raising of Red Deer in the state of Kansas. Our industry is in its infancy and it is not established which breed will be the most economical to raise. Therefore we believe it would be a grave economical mistake to prohibit them from the state. It is true that Red Deer can cross with Elk but we believe this risk is extremely small. A person raising Red Deer would have a significant investment in their animals and would do everything in their power to prevent an escape. Furthermore the rules and regulations that we will be working under will require that an escape must be reported within a short period of time and gives the Department of Wildlife and Parks the option to destroy an escaped animal if it is a threat to native Elk. This threat is itself quite small in that the breeding season, or rut lasts only 3 to 4 months, and the Elk population in Kansas is quite small.

We are also concerned that some of the terms are not adequately defined. Those being "Exotic wildlife"; "Exotic livestock"; and "Inherently dangerous animal". We believe the definitions need to be more specific and less subject to interpretation.

In summary, please do not prohibit the raising of Red Deer in the state and please be more specific with definitions.

Respectfully,

Bradley D. Farmer

I would be glad to answer questions.

*Senate Ag Co
1-30-98
Attachment 7*

Chris and Donia McDonald
Mc Donald's Farm
R.R. 1 Box 61
Peabody, KS 66866

(316) 983-2332

Senate Agriculture Committee
Topeka, KS

Senators:

I represent a newly formed association of exotic animal breeders and owners. We opposes Senate Bill #47 as it is currently written.

Our opposition is to the following points.

1. The fees of "not more than \$500 application and \$250 renewal" are excessive.
2. The vague and inspecific terms "inherently dangerous animal."
3. There are no apparent provisions to protect the safety and welfare of the people or the animals.

We the association, would like to recomend the following items for your consideration:

1. Fees - We recomend that the fee for a Kansas Game Breeders permit remain at it's current level.

2. Possession Permits - We recomend that the stat be empowered to issue possession permits for all exotic animals at the curent price of Kansas Game Breeder Permits. This is to insure that all owners be required to conform to the same caging and maintenance requirements as Kansas Game Breeders Permit holders.

3. Caging and Maintenance - We recomend that caging and maintenance requirements conform to current USDA requirement. Drastic changes would be cost prohibitive to current Kansas Game Breeders and USDA permit holders.

4. State Notification - We recommend that sellers of exotic animals send a copy of the sales receipt to the Secretary within 7 days of sale instead of "before June 30th". This would inable the game wardens to varify the location of the animal and inspect or advise the buyer of the caging and maintenance requirements, permits, etc. We feel this action **alone** could prevent potential health hazards from arizing.

*Senate Ag Co
1-30-95
Attachment 8*

In Conclusion:

We responsible owners and breeders, have the same basic goals as the committee. Exotic animal owners and breeders can work hand in hand with the committee to create effective legislation that will protect the public, our rights to own animals and ultimately the animals themselves.

Thank You,
Christopher McDonald
Acting President
Kansas Exotic Animal Owners Association

We recommend them to every carnivore buyer for a good health program and declawing.

I strongly believe that a cage requirement is needed. The USDA requires a secure cage with an 8 ft. perimeter fence around the cage, or a secure cage with a double entry is used.

No one can say what is an adequate size of cage is needed for each variety of carnivore. Anyone who owns any carnivore should not be allowed to have it on a chain or cable in an open area where someone can come in direct contact with it.

I believe the supporters of Senate Bill #47 want only to stop us from raising carnivores. They are not concerned with the welfare of the animals or that they may become extinct. Our animals are better cared for than most loose wild animals. They are fed and watered daily with a clean cage.

The USDA all ready has a maintenance standard for all exotic wild animals. Who is going to try and determine caging regulations? By that, I mean who has a working knowledge of cage sizes for all wild animals?

In regard to Section 1, paragraph J.--In response to Inherently Dangerous Animals. I assume that Dobermans, German Shepards, Rottweilers and etc. will also be on the list. They will also be licensed at the same fee as carnivores. Dogs maim more people every month than carnivores do in one year. In Sedgwick Co. alone there were 1867 reported and investigated dog attacks. There were no Carnivore Attacks reported.

In regard to; Section 15--We are licensed with the USDA and Kansas Wildlife and Parks. The minimum license fee for the USDA is 40.00 per year. Kansas Wildlife and Parks is \$10.50 per year. An outrageous fee of \$500.00 and renewal fee of \$250.00 per animal is entirely un reasonable. The license fee for the state of Missouri is \$50.00 for Hobbyist and \$150.00 for a breeder. For the state of Oklahoma is \$5.00 to \$48.00.

EXOTIC AUCTIONS--At the Walker Exotic Auction the Kansas Wildlife and Parks agent for Butler Co. is notified and invited before each sale. Also the USDA agent Steve Swartz from Eureka, Ks. is notified and invited.

All of the carnivores are kept in a secured area. In the 5 years we have been having an auction NO one has been hurt.

Before we start auctioning the carnivores, we announce over the PA system that it is the buyers responsibility to know what the restrictions are for their area.

We already make and send a report to Kansas Wildlife and Parks at Pratt, Ks. the name, address, kind of animal etc. on both the buyer and seller.

In regard to; Section 13--Where can an auction owner get a licensed veterinarian be present on a Friday and Saturday for \$40.00 per day?

A statement of all assets and liabilities and a bond is completely unnecessary when a party has only 2 exotic auctions per calender year and the proposed license fee is outrageous.

Clay Walker

9-2
1-28-95

Incertae Sedis (UNDETERMINED TAXONOMY)

cheetah *Acinonyx jubatus* Endangered

Subfamily Pantherinae

lion	<i>Panther leo</i>	Endangered (1 subspecies)
tiger	<i>Panthera tigris</i>	Endangered
leopard	<i>Panthera pardus</i>	Endangered
jaguar	<i>Panthera onca</i>	Endangered
snow leopard	<i>Panthera uncia</i>	Endangered
clouded leopard	<i>Neofelis nebulosa</i>	Endangered
marbled cat	<i>Felis marmorata</i>	Endangered
N. American lynx	<i>Lynx canadensis</i>	
bobcat	<i>Lynx rufus</i>	Endangered (1 sub-species)
Eurasian lynx	<i>Lynx lynx</i>	
Spanish lynx	<i>Lynx pardinus</i>	Endangered
caracal Lynx	<i>Lynx caracal</i>	

Subfamily Felinae

serval	<i>Felis serval</i>	Endangered (1 sub-species)
African golden cat	<i>Felis aurata</i>	
Asian golden cat	<i>Felis temmincki</i>	Endangered
leopard cat	<i>Felis bengalensis</i>	Endangered
fishing cat	<i>Felis viverrina</i>	
flat-headed cat	<i>Felis planiceps</i>	Endangered
rusty-spotted cat	<i>Felis rubiginosa</i>	
Bornean bay cat	<i>Felis badia</i>	
Iriomote	<i>Felis iriomotensis</i>	Endangered
jaguarundi	<i>Felis yagouaroundi</i>	Endangered (4 sub-species)
cougar	<i>Felis concolor</i>	Endangered (3 sub-species)
ocelot	<i>Felis pardalis</i>	Endangered
margay	<i>Felis wiedii</i>	Endangered
oncilla	<i>Felis tigrina</i>	Endangered
kodkod	<i>Felis guigna</i>	
Geoffroy's cat	<i>Felis geoffroyi</i>	
Andean Mountain cat	<i>Felis jacobita</i>	Endangered
pampas cat	<i>Felis colocolo</i>	
wild cat	<i>Felis silvestris</i>	
Pallas' cat	<i>Felis maual</i>	
jungle cat	<i>Felis chaus</i>	
black-footed cat	<i>Felis nigripes</i>	Endangered
sand cat	<i>Felis margarita</i>	Endangered (1 sub-species)
Chinese desert cat	<i>Felis bieti</i>	

SENATE COMMITTEE ON AGRICULTURE

Senate Bill No. 47

January 25, 1995

Mr. Chairman, members of the Senate Committee on Agriculture, my name is Larry D. Woodson, and I am the Director of the Division of Inspections, Kansas Department of Agriculture and I am here this morning to offer a technical recommendation to Senate Bill No. 47.

My recommendations are in reference to KSA 65-6a18, page 19 of Senate Bill 47, (aa) on lines 29-32 and (dd) on lines 37-41.

It is my opinion that by excluding Red Deer (*cervus elaphus elaphus*) from this section indicates that the Red Deer are not amenable to the Kansas Meat Inspection Act, thus, they will have to be slaughtered under voluntary inspection. Should animals be presented for slaughter, they would be exempt from any inspection requirements under the Act.

If it is the intent of this legislation to totally prohibit Red Deer and Red Deer Meat and Meat Food Products from Kansas, I believe it would be better to amend 65-6a27 with language that states that "it shall be a violation of this act for any person to slaughter Red Deer in Kansas". If necessary, language could be added under (b) of the same section to state that "it shall be a violation of this act for any person to sell, offer or expose for sale or transport any carcass, or any meat, meat food product resulting from the slaughter of Red Deer.

Mr. Chairman, members of the Senate Committee on Agriculture, that is the only issue that I raise for your consideration. I stand for any questions.

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1-30-95
Attachment 10*

STATE OF KANSAS



DEPARTMENT OF WILDLIFE & PARKS

OFFICE OF THE SECRETARY

900 SW Jackson St., Suite 502 / Topeka, Kansas 66612 - 1233
(913) 296-2281 / FAX (913) 296-6953

Senate Bill 47

Testimony Presented To: Senate Agriculture Committee
Provided By: Kansas Department of Wildlife and Parks
January 25, 1995

S.B. 47 would place regulatory authority for exotic wildlife and exotic livestock markets under the Kansas Department of Wildlife and Parks. A license to operate an exotic market would be required with fees not to exceed \$375 for the initial license and \$150 for annual renewals. Enforcement activities would be provided by KDWP and the presence of a conservation officer would be required at all exotic markets.

The bill covers "inherently dangerous animals" which are defined as animals which pose a significant threat to human safety. Any person who owns or maintains such an animal would be required to secure a license to do so from KDWP. The initial license could not exceed \$500 and annual renewals could not exceed \$250. Enforcement and inspections would be required of KDWP. The bill also addresses a prohibition of red deer in the state.

This bill addresses several serious problems of major concern to public health, safety and welfare; livestock and poultry interests and management and protection of wildlife resources. The KDWP supports those objectives and encourages that attention be given to solving the problems in a comprehensive fashion.

Responsibilities affixed in S.B. 47 fall heavily on the KDWP, but it does not appear that income from license revenue would cover costs of administering, regulating and enforcing the provisions of the bill. Two additional conservation officer positions will be required. Fees from the required licenses would be deposited into the state general fund and may not be readily available to the

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Attachment 11

Department. The Department is concerned that expenditures above revenue may be expected to come from the Wildlife Fee Fund. That may be appropriate for some expenditures, but not all.

The definition of "inherently dangerous animals" is such that animals other than wildlife would also be included such as several species of dogs, certain livestock, etc. Many cities and counties also have taken actions to regulate or prohibit the possession and sale of certain dangerous animals. Although the bill does not speak to that authority, perhaps it should be clarified that such actions by local units of government is authorized and may be more restrictive if deemed necessary.

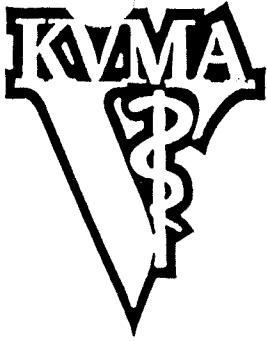
The bill should specify that zoos, veterinary facilities, circuses etc. are exempt. Another issue needing attention is the selling of exotic wildlife and exotic livestock. The bill addresses exotic markets, but does not address individual sales which likely constitute a larger percent of the exotic sales.

Many of the problems associated with dangerous animals involves their sale and the fact that individuals end up in possession of animals they are unable to care for. The bill speaks only to possession of dangerous animals through a license. There should be authority to regulate those selling and the sale of those animals.

Several states, in their approach to dangerous animals, have listed certain species that cannot be possessed due to their dangerous nature or difficulty of care. S.B. 47 as currently written does not provide that authority.

The prohibition of red deer in the state is supported by the Department. Red deer and elk are very similar in appearance and the introduction of red deer genes into elk herds is of great concern throughout elk range in North America. Testing of "elk" brought into the state for the presence of red deer genes is recommended as a responsibility of the importer.

Several agencies are currently involved in the general subject areas covered under this bill. Included would be Health and Environment, Agriculture and Animal Health. The expertise of these agencies in the bill subject areas should be utilized and in fact discussion of prime responsibilities should occur.



KANSAS VETERINARY MEDICAL ASSOCIATION, INC.

816 SW Tyler, Suite 200, Topeka, Kansas 66612, (913) 233-4141

FAX: (913) 233-2534

January 19, 1995

SENATE BILL NO. 47

Dave Corbin, Chairman
Senate Committee on Agriculture
Statehouse
Topeka, Ks. 66612

Dear Chairman Corbin and
Members of the Senate Agriculture Committee:

Dr. William C. Skaer, Wichita veterinarian, was appointed to a special committee of the Kansas Veterinary Medical Association (KVMA) which researches animal health issues related to captive wildlife and exotic animals. Dr. Skaer's recommended related regulations are being reviewed by the Association's Board of Directors.

By written ballot, the KVMA Executive Board advocates your support for:

* Cooperative permitting process which requires all exotic wildlife and exotic livestock species to be registered, disallowing ownership without permit;

* Requiring people engaged in the raising and selling of game birds, game animals, fur-bearing animals, cervids, ratites, to obtain a permit and meet operations standards;

* Requiring people engaged in the auctioning of captive wild and exotic animals to obtain permits and adhere to regulation.

Should you have additional questions regarding our organization's support, please feel free to contact me.

Respectfully yours,

Catharine A. Deever
Executive Director
Kansas Veterinary Medical Association

Dr. Gary L. Modrcin
President
College Blvd. Animal Hospital
11733 College Blvd.
Overland Park, Ks. 66210

Dr. Duane M. Henrikson
President-Elect
Emporia Veterinary Hospital
710 Anderson
Emporia, Ks. 66801

Dr. William D. Fortney
Vice President
Dept. Clinical Sciences
KSU College of Veterinary Med.
1735 Cedar Crest
Manhattan, Ks. 66502

Dr. Vern Otte
Trustee-at-Large
State Line Animal Hospital
2009 W. 104th
Leawood, Ks. 66206

Dr. Frank Solomon
Treasurer
Solomon Veterinary Clinic
7810 E. Funston
Wichita, Ks. 67207

Catharine A. Deever
Executive Director
KVMA Office
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Topeka, Ks. 66612

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Attachment 12



Department of Clinical Sciences

Veterinary Medical Teaching Hospital
1800 Denison Avenue
Manhattan, Kansas 66506-5606
913-532-5708 Administration Office
913-532-5700 Large Animal
913-532-5690 Small Animal
FAX: 913-532-4309

January 24, 1995

Testament of support of Bill Number 47 SB

We, the undersigned members of this service, are of the opinion that the ownership of captive exotic wildlife and exotic animals in the state of Kansas should be better regulated. We are in full support of the proposed Bill Number 47-SB which enacts regulations relating to the ownership and sale of captive exotic wildlife. From a veterinary care perspective, it is our opinion that the basic care requirements of captive exotic wildlife are not being met under present circumstances. Owners are failing to meet the nutritional, husbandry, and preventative medicine requirements for these species. Many of these species seen by our service are improperly managed. Nutritional diseases rate highest of the management problems most frequently encountered. Sequellae to improper nutrition include metabolic bone disease, anemia, and cataracts. These are problems easily avoided by meeting the nutritional requirements of these animals. Preventative medicine programs, including vaccinations and routine examinations, are often incomplete or inadequate. Disease transmission between exotic and domestic animals and humans are not thoroughly considered. In addition, the danger inherent in some species is often overlooked.

It is our opinion that regulations contained in proposed Bill Number 47-SB, including veterinary inspection of livestock and sale facilities and licensing inherently dangerous animals, are an excellent step in alleviating many of the problems discussed by ensuring that those people or agencies possessing captive exotic wildlife will also possess the knowledge necessary to maintain them safely and humanely.

Signed,

James W. Carpenter, MS, DVM, Dipl. ACZM
Service Head
Exotic Animal, Wildlife, and Zoo Animal Medicine

James K. Morrissey, DVM
Intern

Sandra Wilson, DVM
Resident

Christine Kolmstetter, MS, DVM
Intern

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1-30-95
attachment 13*