

STATE OF KANSAS
HOUSE OF REPRESENTATIVES

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Chairman Taddiken and members of the Committee,
MELANIE MEIER
40TH DISTRICT

Thank you for taking the time to hear SB414 this morning, a bill that would amend the Kansas Pet Animal Act. I am particularly interested in two sections of the bill, Sections 26 and 30.

Sec. 26. I am very supportive of SB414 on page 14, lines 24-26. These lines will transform greyhounds into dogs again in Kansas. I remember in 2005, when a man from Overland Park came to the legislature and asked that greyhounds be considered dogs again. At that time, no other state said that a greyhound was not a dog and I really doubt that any have joined Kansas since then. I looked up testimony from the bill at that time and the opponents were the National Greyhound Association and the Kansas Greyhound Association. They testified that the greyhounds that were registered with the National Greyhound Registry were already inspected by the national organization and that state inspection would be an extra layer of regulation. Now that we no longer have parimutuel racing in Kansas and many greyhounds are retired and are now pets, it is time to extend protection to them as pet dogs.

Sec. 30. I would like to propose an amendment to SB414 on page 19, lines 22-28. Last year in April, the Kansas Pet Professionals and Kansas Pet Animal Advisory Board sent a letter to the Kansas Legislature expressing their concern with the Kansas Pet Animal Act. They were concerned with the move of the Kansas Animal Health Department to the Department of Agriculture. They were concerned that the result of the move would be a downsizing of the department which would drastically reduce the department's ability to perform its mission and they requested that the annual inspection of non USDA licensed facilities be made a requirement. Currently, KSA 47-1709(b) states that the department "may" make an inspection once a year for USDA licensed facilities and "may" make an inspection at least twice a year for non USDA licensed facilities.

This letter caught me by surprise. I was surprised that the statute actually said "may" instead of "shall." How could inspections of breeders, kennels, shelters, etc., be optional? This lack of a requirement of inspections for breeders, kennels, shelters, etc, could result in a threat to the Kansas Pet Professional industry. Cases such as the kennel in Oberlin, Kansas, that made national news in December 2010, highlight this threat. In that case, over 1200 dogs were euthanized after puppies sold to pet stores in Wyoming were diagnosed with distemper. This national case, combined with the knowledge that Kansas does not require inspection, could mean the end of the industry in Kansas.

To help highlight this, I have attached an article from the University of Wyoming's College of Agriculture and Natural Resources News where the author actually advises readers not to obtain pets from pet stores based on the case in Kansas.

This situation reminds me of the situation we faced in recent history in Leavenworth and Kansas as a whole, with hotel inspections. We had a very sad hotel in Leavenworth with a very bad reputation, but with the downsizing at the Department of Agriculture, there were no inspectors to take care of the situation. It got so bad that there was actually advertising across the river in Missouri that pointed out that Kansas hotels were not inspected and our hotel industry was threatened. Last year the legislature took action to remedy that situation.

I believe the legislature also responded to the April 2011 letter from the Kansas Pet Professionals and the Kansas Pet Animal Advisory Board last year with a proviso to the budget. It is time to make it permanent.

Please consider this important change to the Kansas Pet Animal Act.

Thank you again for your time and consideration of SB414.

A handwritten signature in black ink, appearing to read "Melanie Meier". The signature is fluid and cursive, written in the bottom right corner of the page.

Request for trailer bill and/or proviso

To: Kansas Legislature
From: Kansas Pet Professionals
Kansas Pet Animal Advisory Board
Date: April 27, 2011

We are writing to express our concern about the future of the Kansas Pet Animal Act and the possible change in enforcement when the program is moved to the Kansas Department of Agriculture.

Currently K.S.A. 47-1709(b) states that the commissioner or the commissioner's authorized, trained representatives may make an inspection of each premises for which a license or permit has been issued under K.S.A. 47-1701 et seq., and amendments thereto. If such premises are premises of a person licensed or permitted under public law 91-579 (7 U.S.C. § 2131 et seq.), such premises may be inspected at least once each year. Otherwise, the premises may be inspected at least twice each year. The only inspections that are required are initial inspections and complaint inspections.

When the statute was originally passed in 1988, annual inspections for USDA licensed facilities and bi-annual inspections for non USDA licensed facilities were mandatory. In other words, the statute required that premises SHALL be inspected. In 1996 several changes were made to the Pet Animal Act. While making changes, a Revisor suggested that the word "shall" be changed to "may" so the Department would not "get into trouble" if inspections fell behind. Although the statutory change was made, KAHD continued to respect the original intent of the statute by inspecting USDA licensed breeders annually and all other licensees bi-annually.

We are very concerned, particularly in light of the proposed dismissals of all program employees (with the exception of four field inspectors) that KDA does not intend to make this program a priority. No one would be left in the KDA office to answer questions from stakeholders, consumers or the inspectors. We can only assume the purpose of these dismissals is to discontinue current inspection and enforcement practices. Discontinuing routine inspections may have dire consequences not only to dog and cat breeders but also the livestock industry in the state. Over the past several years the livestock commissioner and the director of the animal facility inspection program have developed a working relationship with HSUS, ASPCA and PETA in that; if they have a complaint about a kennel (or a livestock market or feedlot) in Kansas they contact the Department instead of sending in their own investigation teams. Although most KAHD responses to their requests have indicated that there were no violations at the facilities, these organizations have enough respect for the Facilities Inspection Program they do not pursue the matter further and stay out of the state.

At a time when the animal health corridor is under development and with the relocation of the National Bio and Agro-Defense Facility (NBAF) to Kansas it is imperative that Kansas does not fall under the nation's scrutiny by discontinuing an inspection program that has successfully worked for the last 17 of its 23 year in existence.

The multi-million animal breeding industry brings not only new dollars but substantial tax revenue to the state of Kansas. Discontinuing or limiting the current inspection program (and not following up on unlicensed facilities) would again label Kansas as a "puppy mill" state; a label we have worked diligently to lose. This would be devastating to the breeders in this state and would have a detrimental economic impact on numerous other industries including pet food manufacturers, veterinarians and businesses supplying such things as micro-chips, kennel buildings, dog runs, cages and other items necessary to maintain a viable kennel.

We are requesting your assistance or support to introduce a trailer bill to amend K.S.A. 47-1709 to mandate inspections. The amendment would be a simple terminology change – from may to shall. Failing that, we request that the following proviso be added in the omnibus bill. The new language is underlined below:

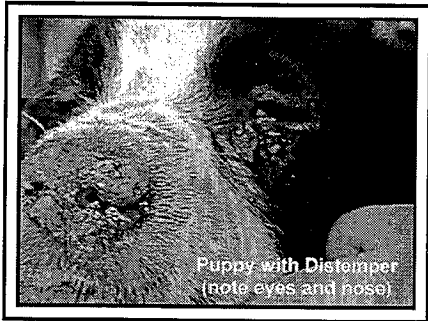
Animal dealers fee fundNo limit
Provided, That expenditures from the animal dealer's fee fund for official hospitality shall not exceed \$300: *Provided further*, That expenditures shall be made from the animal dealers fund by the livestock commissioner for operating expenditures for an educational course regarding animals and their care and treatment as authorized by K.S.A. 47-1707, and amendments thereto, to be provided through the internet or printed booklets: And Provided further, Notwithstanding the provisions of K.S.A. 47-1709(b) that the commissioner or the commissioner's authorized, trained representatives shall make an inspection of each premises for which a license or permit has been issued under K.S.A. 47-1701 et seq., and amendments thereto. If such premises are premises of a person licensed or permitted under public law 91-579 (7 U.S.C. § 2131 et seq.), such premises shall be inspected at least once each year. Otherwise, the premises shall be inspected at least twice each year.

This proviso would require KDA to continue inspections through one fiscal year, and a bill could be introduced during the next legislative session to make the change permanent and would address the recommendations of both the Senate and the House stated in their 2012 Subcommittee Reports:

Thank you for your attention to this matter. We hope you will consider adding this proviso to the omnibus bill, the mega appropriations bill or as a "trailer bill" whichever is appropriate.

College of Agriculture and Natural Resources News

Dec. 13, 2010



Puppy with Distemper
(note eyes and nose)

Canine distemper cases brings caution from Wyoming State Veterinary Laboratory pathologist

New pet owners should be careful about where they buy their next puppies.

That was the message from the Wyoming State Veterinary Laboratory (WSVL) and the Wyoming Livestock Board as their members wrapped up an investigation of canine distemper in newly

purchased puppies.

The outbreak occurred between late August and early October and affected dogs in Cheyenne, Laramie, Casper and Douglas. Affected dogs were purchased in pet stores in Cheyenne and Casper.

"We confirmed distemper in 24 dogs, all purebred and purchased from pet stores," said Donal O'Toole, a pathologist with the WSLV and a professor in the Department of Veterinary Sciences at the University of Wyoming. "This was the largest outbreak of canine distemper I've seen in Wyoming in my 21 years at this laboratory."

Canine distemper is a highly contagious viral disease of dogs. Clinical signs are depression, respiratory distress, diarrhea and nervousness. Many infected dogs that develop clinical signs die or have to be euthanized.

Effective vaccines exist to prevent the disease.

"We should not be seeing distemper in dogs, period," said O'Toole. "As long as dogs are vaccinated at the right time with the appropriate vaccine, the chances of distemper are almost zero. It just didn't happen on this occasion."

Once WSVL veterinarians recognized the unusual outbreak of canine distemper, they contacted Wyoming's chief veterinarian, Jim Logan, with the Wyoming Livestock Board. The board has responsibility for companion animals and for livestock. Logan contacted his counterpart in Kansas. All of the infected pups originated from a large breeding facility in that state.

"We know the facility did sell puppies to at least one Wyoming pet store where cases came out of it," said Paul Grosdidier with the Kansas Animal Health Department. "Whether all the cases originated from Kansas, we are not absolutely sure."

Veterinarians with the Kansas inspection program are requiring the breeder to have all pups tested for distemper prior to sale, said O'Toole.

The cycle of infection in Wyoming continued for almost two months.

"No further cases have been seen since distemper was confirmed Oct. 8 in a Shih tzu pup from Douglas," said O'Toole.

The Kansas breeding facility was placed under quarantine. Veterinarians with the Kansas animal inspection program are working with the owners to improve biosecurity and vaccination protocols at the property, said O'Toole.

"Frankly, the best place to get a dog is from a small-scale private breeder or your local canine rescue," said O'Toole. "If it's a private breeder, it should be someone you know, someone willing to let you see their facilities and breeding animals. Although the great majority of pet store owners are conscientious and concerned about the health of animals purchased through their businesses, the background of pups purchased from such stores is often unclear."

A recent study by the USDA made numerous suggestions for better oversight of "problem breeders" of pups intended for sale through commercial channels such as pet stores or on the Internet, said O'Toole.

The report, titled "Animal and Plant Health Inspection Service Animal Care Program - Inspections of Problematic Dealers," is available online at <http://www.usda.gov/oig/webdocs/33002-4-SF.pdf>.

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