

Testimony **in Support of 2013 SB 57** (An Act concerning agriculture, relating to animal health, etc.) **with amendments**

Submitted by Crystal Swann Blackdeer, President, Leavenworth County Humane Society, Inc.; Founding Board Member, Pet Animal Coalition of KS (PACK)

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Senators:

SB 57 contains important changes to the Kansas Pet Animal Act (KPAA) to maintain and improve the integrity of the pet animal industry in Kansas while helping to make the Animal Health Division more efficient, effective, and self-sustaining.

Inspections – Regular visits from Animal Health personnel insure licensee compliance with statutes and regulations. It is important that there be an established frequency for these inspections not to exceed 12 months. Those licensees who have had deficiency-free inspections for two consecutive years could then be placed on an 18-month schedule. Inspections protect the integrity of the pet animal industry in Kansas.

Kansas Pet Animal Advisory Board – The members of Kansas Pet Animal Advisory Board (PAAB) should continue to be appointed by the Governor. The Office of Appointments (<https://governor.ks.gov/serving-kansans/office-of-appointments>) says that the Governor appoints Kansans to serve in more than 1000 positions on Boards, Councils and Commissions. Relegating the members of the PAAB to appointment by a department Secretary reduces the stature of this Board in relation to other boards. It is important not just to rapidly fill seats on the PAAB, but to continue to appoint “the best and the brightest” Kansans, as described on the Governor’s website.

The current composition of the Board does not represent all licensees, and does not provide proportional representation.

SB 57 Draft 2 as introduced 1-22-13 proposes the following positions on the Board:

- 1 seat for Shelters (233 licensees, plus their 500+ subordinate licensed foster homes)
- 1 seat for Research Facilities (5 licensees)
- 1 seat for Animal Breeders (151 licensees)
- 1 seat for Retail Breeders (151 licensees)
- 1 seat for Pet Shops (~100 licensees)
- 1 seat for Veterinarian (not a licensee)
- 1 seat for Private Citizen (not a licensee)
- 1 seat for Animal Distributors (~19 licensees)
- 1 seat for Hobby Breeders (102 licensees)
- 1 seat for Boarding/Training Kennel (145 licensees)
- 1 seat for Rescue Network “Member” (200+ licensees)

I advocate for addition of a second seat for Shelters. Shelters and their subordinate foster homes comprise more than 50% of the licensees under the KPAA, and are responsible for as many animals each year as commercial producers, who have 4 seats on the Board.

I advocate for retention of the current language in the KPAA requiring the Private Citizen to be someone NOT affiliated with the pet animal industry. This person in essence represents the CONSUMER.

I advocate for change of the proposed Rescue Network Member seat to be “a representative of a Rescue Network” who will represent the ~60 currently licensed Networks (now licensed as Group Foster and Rescue) AND their 200+ subordinate Members.

License Fee Caps – Those proposed in SB 57 as introduced potentially increase licensing fees for Shelters by 250%, and volunteer foster and rescue network members by 500%. Many shelters are operated by municipalities, county government entities and non-profit organizations, providing a public health and safety service in their local areas. Such a dramatic increase is unwarranted and excessive, especially considering that foster homes and rescue network members are only inspected upon complaint. Routine costs for those licensees are purely administrative. I ask that the Shelter license fee be capped at \$500, and foster/rescue network fees remain at \$10.

Penalty for late submission of a license renewal should be \$100 flat fee as opposed to \$100 per month. There are already penalties for operating without a required license in the statute.

Cruelty - Persons convicted of animal cruelty under KSA 21-6412 (even a first offense) should not be allowed to obtain or retain a license under the KPAA. The KPAA should be amended to read that the Commissioner SHALL deny licensure to any person convicted of animal cruelty and SHALL revoke the license of any licensee convicted of animal cruelty. What does it say about the integrity of the pet animal industry in Kansas if we entrust animals to someone convicted of animal cruelty?

Carbon Monoxide (CO) Chambers – I applaud SB 57’s proposed end of the use of CO chambers for routine euthanasia of dogs and cats. AVMA, the Association of Shelter Veterinarians, National Animal Control Association and many other national groups recognize that Euthanasia by Injection (EBI), by which the animal quickly loses consciousness without experiencing pain or distress, is the most humane method of euthanasia currently available. It is also cost effective, safer and less stressful than antiquated CO chambers to those performing the procedures. Training in EBI is easily obtained, and the drugs are available. Many states have banned or restricted the use of CO for euthanasia of companion animals. If Kansas wants to continue to be seen as a leader in the pet animal industry, we should join them.