



AMERICAN  
KENNEL CLUB®

January 27, 2016

**Re: Amend House Bill 2097- Protect State Economy, Responsible Hobbyists and Sportsmen**

Dear Members of the House Agriculture Committee:

The American Kennel Club (AKC) writes on behalf of our 36 dog clubs and many responsible hobbyists and sportsmen in Kansas to respectfully ask that House Bill 2097 be amended prior to advancing from your committee in order to ensure a strong, effective law.

AKC's mission includes working to advance canine health and well-being, promoting responsible dog ownership and protecting the rights of responsible dog owners. We agree with many of the provisions in House Bill 2097, including further regulations on animal shelters and rescues to ensure those animals are protected. The AKC's concern is primarily with the new definition of "animal breeder premises", which we request be amended for the following reasons:

- **"All or part" could mean just having a couple of dogs on your premises. This could place a tremendous burden on the Department of Agriculture to determine who must comply and be inspected.** While we understand this language is used as part of definitions in current law, it is important to consider that at such a low threshold, this may prove difficult to prove and may in fact increase – rather than offset- the cost for the Department of Agriculture to administer this program. As we have seen in other states, low licensing thresholds, rather than having the intended effect of bringing more money into the program, have actually done the opposite. In Wisconsin, for example, the cost and implementation of the vastly expanded number of licenses and inspections was a challenge for the department. It is also not clear in this definition whether the definition applies to the number of dogs on the premises at one time, in a year, or even a lifetime. We understand the intent is for it to be per year, however, this proposed definition (especially at such a low threshold) could still provide a loophole whereby breeders keep dogs on multiple premises in order to avoid compliance and inspection. *We are respectfully recommending that instead of basing the definition on the number of animals on a premises at a given time, a definition be based solely on the number of dogs sold in a year. This would be a clear definition easier to enforce.*
- **Costs of these programs in other states has been significant, often resulting in lack of enforcement and opening the door for more legislative proposals by animal rights activists who use this as an excuse to push their agenda.** In Iowa, for example, even at the low threshold of the ownership of 4 dogs, each year there are complaints about the ineffectiveness of the program and a push at the legislature for more radical and restrictive regulations. A fiscal analysis in Tennessee reported that the projected increase to the state's Commercial Breeder Account would increase to over \$1 million within the first three years, yet the actual increase was only just over \$70,000. This led to a discontinuation of the program, and now the Tennessee legislature is seeing extreme and much more stringent proposals being brought forward.
- **This new definition would represent a significant increase to the number of licensees who must be inspected by the state, and inspections of private homes.** We do understand that the frequency of inspections can be determined by the department, and agree that is reasonable. *However, the bill still states that all licensees MUST be inspected at least once.* Current law states that notice for these inspections is not required. A hobbyist keeping a few dogs in their home does not keep regular business hours, and we do not want them to lose their license if they happen to not be home on multiple occasions when an inspector stops by. We want to be sure this section is clear. In addition, as noted above in Wisconsin, this can prove extremely difficult and expensive to implement with such an increase in the number of inspections.
- **Regulations for "animal breeder premises" would apply to those who meet this lower threshold.** The AKC strongly agrees that no dog should ever be raised in an environment where their health and safety are compromised. However, there may be regulations that simply are not feasible, practical or in the best interest of dogs kept in a home rather than kennel situation. Again we recommend a definition based on sales, which is much easier to determine and enforce, and depending on the threshold would not result in some of these unintended consequences.

We do believe that our concerns can be addressed with amendments, and welcome the opportunity to work with all stakeholders to ensure a clear, effective bill that addresses our goals and ensure the success of this program. Please do not hesitate to contact us at (919) 816-3720 or [jlc@akc.org](mailto:jlc@akc.org) if you have any questions or we may be of assistance.

Sincerely,

Jennifer Clark  
Manager, Canine Legislation