

KANSAS PET PROFESSIONALS

Dorothy Brecheisen – President
Wilma Westhoff – Vice Pres
Sharon Munk – Treasurer
Lori Thomas – Secretary



kansaspetprofessionals@hotmail.com

Larry Bolz – Director
Lewis Bloom – Director
Kerry Clark – Director
Tara Dillow – Director
Kathy Loe – Director
Michelle Russell – Director
Troy Wedel – Director

Dear Committee Members:

Kansas Pet Professionals would like to address the committee on the following issues:

- #1. Breeder categories
- #2. 47-1725 Advisory Board
- #3. 47-1712 (b) Rules and regs pertaining to USDA licensed facilities
- #4. 47-1701 (b) Water definition
- #5. 47-1721 Fees
- #6. 47-1721 (f) Dual fees

Kansas Pet Professionals (KPP) is an educational organization with one hundred plus members and an eleven member board of directors. The board of directors held a phone conference meeting the evening of October 8th to discuss above issues. Sharon Munk, KPP Legislative Chairperson will be the presenter.

Hello,

I'm Sharon Munk from Menlo, Ks. I've been a professional pet animal breeder for 35 years, 2 months and four days. I am both USDA and state of Kansas licensed and inspected. The American Kennel Club also inspects my facilities, dogs and record keeping.

I am one of the few in the room that is old enough to distinctly remember 1990 and the "Bones on the Capitol Lawn". Governor Hayden appointed the first Advisory Board in 1990. We were lucky enough to have the late Dr. Jacob Moiser as our chairperson.

I have the HISTORY to answer your questions concerning this Pet Animal Act.

I am the current chairperson of the Kansas Pet Animal Act Advisory Board, so I am familiar with the workings of last years Senate Bill #57.

KPP would like to address the confusing terms for breeders in Senate Bill #57. In 1991, there were only three categories listed, and we would like to get back there. It would be simple.

Breeder categories:

- 1991 - Animal Breeder (a breeder raising 6 or more litters OR selling 30 or more animals in a year...**with a USDA license**
- Retail Breeder (a breeder raising 6 or more litters OR selling 30 or more animals in a year...**WITHOUT a USDA license.**
- Hobby Breeder (a breeder raising three to five litters a year and selling less than 30 animals a year.

USDA has only been focused on regulating a commercial industry. It was stated in the EARLY years that KANSAS focus would be on animal health, thus all were included in our law, regardless if you sold wholesale, retail, or adopt. All are treated equally.

The only difference intended between the animal breeder and the retail breeder categories was to be determined by the fact of USDA license, or not.

USDA facilities were allready inspected once a year by USDA and paid a fee, thus Kansas honored that inspection and added one additional inspection along with a fee. That is why the Non-USDA facilities (retail breeder) were inspected twice a year and paid double the fee.

The word 'primarily' has no place in our law. The law states that a retail breeder sells 'primarily' at retail. A retail breeder has no choice but to sell retail ONLY, if they have 4 breeding age intact females. It is against federal law to sell just one pup to a pet store or to an animal distributor.

KPP strongly suggests that we end the confusion. Instead of creating more categories, thus needing to add more to our definition pages, let's cancel out all the mention of Wholesale and Retail in our law, and bring it back to USDA Animal Breeder, Non-USDA Animal Breeder and Hobby Breeder. Keep it simple.

Note

47-1725 Advisory Board. KPP does not approve of the changes made to the Advisory Board in SB57. We believe the Governor should continue to make the appointments.

We believe #2 should be an employee of a Kansas licensed research facility, not a federal or international entity.

#3 should be a Kansas licensed USDA animal breeder

#4 a Kansas licensed Non-USDA animal breeder

#5 a Kansas licensed pet shop operator

#6 a Kansas licensed veterinarian....

#7 one member shall be a private citizen with no link to any licensed category

#8 a Kansas licensed animal distributor

#9 a Kansas licensed hobby breeder

#10 a Kansas licensed boarding or training operator

(g) KPP believes this needs to stay in the law. Board members who are required to be licensed, shall be affiliated with or a member of an organizaed pet animal association (if one is available) which is representative of the position such person will hold on the board.

The reason this law used to exempt retail breeders, is because retail breeders were Non-USDA and didn't attend the educational seminars or belong to the educational groups. The only addresses we had to invite participation was addresses from USDA. Now that we get mailing list from the state for educational purposes, retail breeders join in.

47-1712 (b) Rules and regs pertaining to USDA licensed facilities.
For years this has been an embarrassment to me. It was the Kansas Animal Health Department, but they couldn't check the health of my animals. So, yes I did request that this be removed from the law when we were first discussing the issues, but now that I have seen first hand that this Department does not honor the majority decisions of the Advisory Board, many times unanimous decisions have been ignored, KPP sees the need to keep us tied to USDA rules and regs, so we have one set of rules. Currently the law states 3.1 through 3.12. We can expand on that to make sure all is covered.

- 2.40 Attending veterinarian and adequate veterinary care
- 2.50 Identification of animals
- 2.75 - 2.80 Records
- 2.126 Access and inspection of records and property
(#5 under this section states: To document, by the taking of photographs and other means, conditions and areas of noncompliance.)
- 2.130 Minimum age requirements
 - 3.1 Housing facilities, general
 - 3.2 Indoor housing facilities
 - 3.3 Sheltered housing facilities
 - 3.4 Outdoor housing facilities
 - 3.5 Mobile or traveling housing facilities
 - 3.6 Primary enclosures
 - 3.7 Compatible grouping
 - 3.8 Exercise for dogs
 - 3.9 Feeding
 - 3.10 Watering
 - 3.11 Cleaning, sanitization, housekeeping and pest control
 - 3.12 Employees
 - 3.13 Consignments to carriers and intermediate handlers
 - 3.14 Primary enclosures used to transport live dogs and cats
 - 3.15 Primary conveyances (motor vehicle, rail, air and marine).
 - 3.16 Food and water requirements
 - 3.17 Care in Transit
 - 3.18 Terminal facilities
 - 3.19 Handling.

Water definition: We'd like you to know that the KPP Board of Directors fully support the new wording for water definition in SB #57.

Fees: We've been told that Ag wants \$600,000 to run this program. I think it took \$408,726 for fiscal year 2012. ERO#40 was to be a SAVINGS...We do not see the SAVINGS. In December 2008 the Legislative Division of Post Audit released an audit entitled "Agricultural-Related Agencies. This audit determined whether a cost savings could be achieved by combining the Animal Health Department and Conservation Commission with AG. The audit found that Kansas could save \$710,000 per year. I want to know who 'pushed the pencil', are the taxpayers still paying these auditors salaries? We've been told that we will get \$175,000 State General Fund monies. Thus Ag just expects the licensees to make up the \$425,000 difference, plus more in years to come as the State General Funds monies may decrease. Again, I ask....???? Where ~~is~~ ^{are} the SAVINGS?

The Advisory Board has asked for a detailed Expense account to see if our collective business minds could find some additional cuts and savings, but we have not been presented with the figures.

KPP proposes to raise all fees (and CAP them) at 50%. That will bring in an extra \$100,000. The Ag department wants to charge our program for administration cost, communications, fiscal, legal and legislative services. Our previous director wore many hats, she was the lawyer, thus she understood the law to the fullest, and we didn't have to pay for outside lawyer fees. She did the legislative work and she would ask for the Advisory Boards help with the legislative issues, we didn't pay for legislative services. She made up the budgets etc. She also used her spare time to do legal work for the other Animal Health departments, and kept track of the time, so our AFI program had a break in her salary when her work was directed elsewhere.

I've been led to believe that the AG Secretary made the decision not bring this multi-tasking person over with the ERO 40 move. I've also been led to believe that the AG Secretary made the decision that this position was only to be filled by a veterinarian, thus it increased the price some more.

If we agree to raise our fees by 50%, maybe the AG Department can find some extra monies sitting in a fund to put towards our program, since the AG made some of the sole decisions that have increased our bottom line expenses.

Maybe the state of Kansas will put some of that \$710,000 savings per year, towards this program in more General Fund Money.

The \$600,000 was asked for before the new schedule of inspections was released. With some of the licensees being on 18 month schedules now, and some even pushed to 24 months....those that used to be twice a year are now 1 year to 18 mo or 24 months, depending on their past inspections. The only ones left on a 6 months schedule are the ones that failed their last inspection. I don't have the numbers to let you know how many fall in the 6 month, 12 month, 18 month and 24 month slots. When we get those numbers, you will be able to judge how much of this expense truly belongs to the licensees and how much expense belongs to the state of KANSAS (General Fund Monies) in search of the illegal operators, non-licensed folks, or in cleaning up the hoarding cases, or in inspected every complaint, regardless if it is warranted or not, an inspector has to check it out.

This law was never intended to be FEE FUNDED when it was introduced. George Teagarden the former Animal Health Commissioner always told me: "Sharon, the citizens of the state of Kansas (taxpayers) have insisted on this law, they can pay for it."

47-1721 (f) Dual fees. Premises required to be licensed under the Kansas pet animal act shall not be required to pay for more than one license. If more than one operation is ongoing at the premises, each operation shall comply with the applicable statutes and rules and regulations pertaining to such operation.

KPP request that you leave this in the law as it is currently written. This was put in the law for a reason. That reason has not changed. This is a PREMISES inspection. This is not a business inspection and it is not an individuals inspection..this is a PREMISES inspection. One premises is ONE FEE. The state allready gets two fees from the one individual that has animals on TWO separate premises. This is a PREMISES fee. One premises is one fee. I am a breeder/distributor, it makes no difference if it is my personal puppy in that kennel, or a puppy that I bought from the neighbor to distribute for them. The inspector is going to check the exact same kennel, the same premise regardless of whose animal is housed there. This was a last ditch effort by the AG department to gather more funds when introducing this bill last year.

The Advisory Board did vote, not unanimous but yes majority to add \$50 to the fee of those that were two or more categories on one premises, just in case there was some extra adminstrative fees. Thus I wouldn't have testified against the \$50 last

year. But since the Advisory Board has not been allowed another face to face meeting to discuss the statues since Dec 12 of last year, today I'm testifying for KPP. KPP is adamantly against changing the current law on this issue.

80% of the people that I represent on the Advisory Board would be impacted by this dual fee provision in SB #57.

Those are the comments that KPP would like you to consider. I would be happy to answer any questions from the committee as would the rest of the Board of Directors that came today. We have Kathy Loe who is the co-educational director last year and this current year. Lorilee Thomas who is the breeder representative on the Advisory Board...she is also the co-educational director and the secretary for KPP. Dorothy Brechisen is our KPP President, and she advises me on legislative issues. Kerry Clark is a current board member of KPP. Tara Dillow is a board member and I believe helps with the web page issues for KPP, Wilma Westhoff is our Vice President, she is the chair for our web page issues, and Wilma is one of the seven breeders that visited with Attorney General Bob Stephan and Governor Mike Hayden in the summer of 1990 to get this mess cleaned up. Kendra Titus is a KPP member and she also represents the retail (non-USDA) breeders on the Advisory Board.

Dr. Larry Snyder is here today, he is also on the current Pet Animal Advisory Board and he has done some research into the shelters using K-State vet students for spay/neuter programs. He's been speaking to Dr. Rush, and I've asked him to give a presentation on this to the Advisory Board so we could knowledgeably address this issue, but we don't have an Advisory Board meeting scheduled until next month, so after you ask any questions of the KPP members, I'd appreciate it if you'd let him address this issue with you.

all AF figures - no Duncan figures

AFI Budget

July 1 2011
June 30 2012
July 1 2012
June 30 2013
July 1 2013
June 30 2014

	FY 2012	FY 2013	FY 2014
	\$408,726	\$481,697*^	\$493,543*
Records		\$45,000	\$45,000
Admin.		\$22,948**	\$32,197**
Total	\$408,726	\$549,645	\$570,741
			\$30,000 Enhanced position***
			\$600,741
SGF	\$268,145	\$240,000	\$175,000
Fees		\$309,645	\$425,000 (proposed fee increase)
		\$225,000* FY 13 fees collected	

* The difference in the base AFI budget between FY 2012 and FY 2013 accounts for rent and the salary for an administrative assistant previously not charged to AFI. An additional increase between FY 2013 and 2014 reflects an increase in insurance costs.

^This estimate is based on the following:

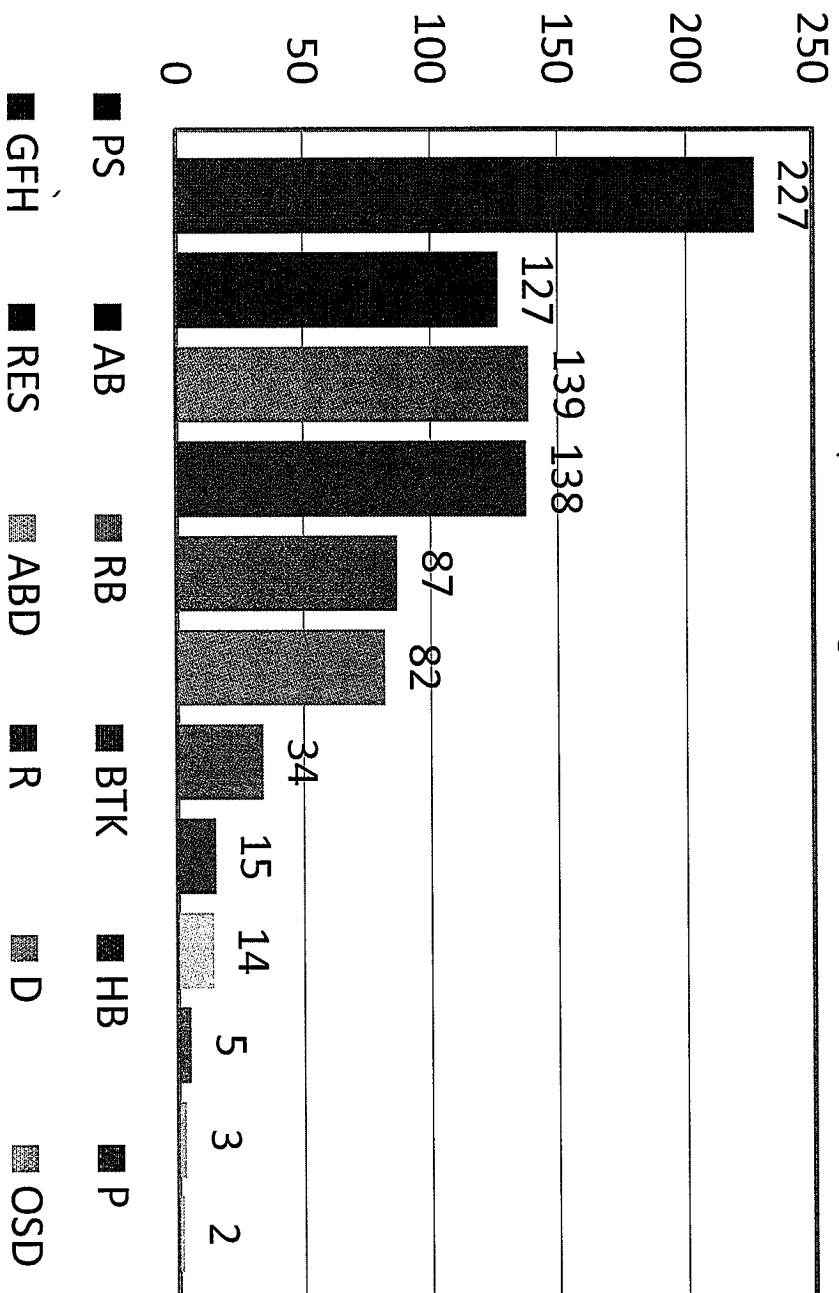
Category	Est FY 2013 cost
Salaries	\$418,000
Communications	\$1,700
Rent	\$11,000
Repair/Services (vehicle)	\$7,000
In-State Travel	\$10,500
Out-of-State Travel	0
Other Contractual	\$2,300
Fees/Other	\$12,000
Professional Supplies	\$750
Office Supplies	\$1,100
Motor Vehicle	\$16,000
Utilities	\$1,100
Professional Fees	\$500
*FY 14-one vehicle	\$20,000
	481,950
	501,950

Performance Based Inspection

Recent Inspection	1 Year Ago	2 Years Ago	Category
Passed	Passed	Passed	Green - 24 months
Passed	Passed	Failed	Yellow - 18 months
Passed	Failed	Passed	Orange - 12 months
Passed	Failed	Failed	Orange - 12 months
Failed	Passed	Passed	Red - 6 months
Failed	Passed	Failed	Red - 6 months
Failed	Passed	Passed	Red - 6 months
Failed	Failed	Failed	Red - 6 months

873 Active AFI Licenses as of September 09, 2013

(still receiving late renewals)



Revenue from Fee Funds

	FY11	FY12	FY13	FY14
Brands	\$295,220	\$309,470	\$348,028	\$316,926
ADC	\$1,356,530	\$1,256,165	\$1,220,667	\$1,183,993
AFI	\$278,423	\$238,400	\$212,319	\$199,175