

TERRY HUMPHREY Public Affairs Group

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TO: The Special Committee on Agriculture and Natural Resources
FR: Terry Humphrey, Lobbyist of the HSUS and ASPCA
DT: November 19, 2013
RE: Support for Updates to the Kansas Pet Animal Act

Proposed Updates to the Kansas Pet Animal Act

1. Require regular inspection: the KPAA be amended to state that the KDA shall inspect each licensed facility and state the frequency schedule in the statute. **AVMA - annual inspection.**
2. Expand KPPA board representation to add a rescue network representative and a second shelter representative. **Pet Animal Coalition of Kansas (PACK)**
3. Ban inhumane carbon monoxide gas chambers. **Kansas Pet Animal Advisory Board**
4. Require USDA breeders to meet KPAA standards (medical). **KDA**
5. The HSUS, ASPCA and PACK recommend adoption of the following changes to the standards of care required by the KPAA, many of which are based on the AVMA Model Bill welfare guidelines, the Association of Shelter Veterinarian (ASV) standards, and animal welfare acts from other states:
 - Potable water at all times, unless otherwise directed by a vet. **ASV and AVMA**
 - Temperature control shall range from 60°F–80°F, with 30%–70% humidity; remove provision permitting maximum and minimum standards to be exceeded for up to four hours. **ASV and AVMA**
 - Primary enclosure shall provide at least partial solid flooring large enough for all animals housed in the enclosure to lie fully recumbent in a natural position. **AVMA and ASV prohibits wire floors**
 - Permit stacked cages in a manner that does not increase discomfort and stress, compromise ventilation or allow excreta to fall in below cages (**ASV**). However, breeding facilities should be prohibited from stacking cages.
 - Veterinary inspection: the KPAA be amended to require an annual hands-on veterinary examination for all breeding dogs. **AVMA and 7 states**
 - Cage size of primary enclosures should be twice the USDA minimum requirement. **PA**

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Attachment 2

6. Update Enforcement provisions:

- On application, USDA-licensed breeders should be required to:
 1. Certify compliance with all state and federal laws and regulations.
 2. Certify good standing with the USDA and notify KDA of any status change.
 3. Disclose any past revocation of a USDA license.
- On renewal, breeders holding a USDA license and those licensed only under the KPAA must certify compliance with all state laws and regulations. **MA, CT**
- On application renewal, require total compliance at the time of the most recent inspection before their license can be renewed. **MA, NH, NJ**
- If a licensee fails an inspection, AFIP should:
 1. Make a written report of violations and corrective plan. **OH, MA, ME, PA, TX, WV**
 2. Charge \$250 for a re-inspection (\$350 for third re-inspection).
 3. Require re-inspection within 15 days. **Time limits in 6 states.**
 4. Authorize the director to suspend a license until welfare violations are corrected. **CT, IL, MA**
 5. Revoke a license after failed third inspection in 12 months.
- Suspension or revocation of USDA license should trigger an inspection of KS licensee. **CO, MO, NE, OK, TX, NY**
- Suspension or revocation of a license should be authorized if a licensee refuses to permit an inspection.
- If licensee fails to renew their license or the license is revoked, there will be a closing inspection and closing plan agreed to in writing with AFIP. KDA should be required to perform, and the licensee to allow, regular follow up inspections for a year to ensure that the former licensee is no longer doing business. **PA**
- Require high-volume breeders to provide financial assurance (through a surety or bond) to pay for animal care in case of a seizure or impoundment. **OH**
- Require mandatory license suspension or revocation for a conviction of cruelty to animals in any jurisdiction (local, state, or federal). The KPAA currently provides mandatory revocation or suspension only for a cruelty conviction that occurs in Kansas.
- Specify a penalty for operating without a license. **Thirteen states already require this, including CO, MA, ME, MO, OK, PA, RI, TN, WI, CT, GA, IA, NE.**