



Sen. Dan Kerschen
Senate Committee on Agriculture and Natural Resources
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VIA EMAIL

February 10, 2019

Chairman Kerschen and Members of the Committee,

I represent the Midwest Alliance for Animals, a network of Kansas animal shelter professionals who use data-driven information and best practices to advocate on behalf of companion animals to improve the standards of care for companion animals in Kansas. Our organizations care for over 25,000 animals annually, in Kansas cities with populations totaling 1.7 million people, and have combined budgets of over \$16 million.

As you will hear, the change to this section of our statutes comes from enforcement against one of our members, the Kansas Humane Society who was moving sick animals from the main shelter location into a foster home to prevent the further spread of illness to other animals in the shelter. After a thorough reading of the statute and several weeks of correspondence with the Department of Agriculture, we realized a change needed to be made to the statute. We worked with stakeholders which included discussions with the Kansas Department of Health and Environment, many Kansas veterinarians, and specifically the Department of Agriculture, who contributed significantly to the language you see in SB 117.

As written, this language prohibits ***“any person who has in such person's possession any domestic animal affected with any contagious or infectious disease, knowing such animal to be so affected, may incur a civil penalty ... if such person: (1) Permits such animal to run at large; (2) keeps such animal where other domestic animals, not affected with or previously exposed to such disease, may be exposed to such contagious or infectious disease; (3) sells, ships, drives, trades or gives away such diseased and infected animal or animals which have been exposed to such infection or contagion...; or (4) moves or drives any domestic animal in violation of the rules and regulations, directions or orders establishing and regulating quarantine.”***

Because this language targets “any person,” the most appropriate place to make a change to this language is in the statute itself. A regulatory change would never truly remedy the broad reach of this statute and if addressed in regulations, those regulations would allow something our state law prohibits. This bill updates and resolves all the issues in these sections of Chapter 47 without serving to confuse organizations and the public as to their duties under the law.

There are 293 licensed animal shelters and rescue networks in the state of Kansas. Many of those shelters are municipal animal control agencies that cannot simply not impound an animal because it is

sick, and most do not have robust isolation areas for sick animals, so moving them from the shelter population, much like moving cattle from a herd, is the best way to prevent the spread of disease. This does not take into account the 2,563 licensed veterinarians in the state of Kansas who practice veterinary medicine and accept sick animals into their clinic daily where other animals may be exposed, and then release those sick animals back to their families – again, currently prohibited by statute.

Animal shelters and veterinary premises are much different than other licensees, like boarding facilities, pet stores, and breeders, and are only seeking an exemption because the current statutory language puts them at risk every time they conduct business.

After meeting with stakeholders, the decision was made to pull dogs and cats out of the “domestic animal” purpose of this section because we all agreed that the care, management, and diseases transmitted between dogs and cats is simply different than livestock and other animals targeted by this section. This positive statutory change offered by the Kansas Livestock Association and drafted Department of Agriculture clarifies statutory intent and changes the quarantine language by giving the animal health commissioner broad authority over the quarantine process. Current statute currently requires the Governor to intervene in the case of a quarantine. Additional statutory changes offered by the Department of Agriculture included a critical addition that gives the animal health commissioner authority over the interstate transportation of animals, meaning the animals that come into our state.

This bill gives broad authority to the animal health commissioner, allows for animal shelters and animal control agencies to move sick animals out of their facilities with specific veterinary guidelines, and gives back the autonomy of veterinarians to practice veterinary medicine. This is a win for Kansas animal welfare professionals seeking to improve the health, safety, and welfare of animals and the public.

We urge you to support SB 117.

Sincerely,



Katie Barnett
Animal Welfare Counsel

Mark Eby, President/CEO
Kansas Humane Society, *Wichita*

Jennifer Stewart, Director of Animal Control
KCK Animal Services, *Kansas City*

Tam Singer, President/CEO
Great Plains SPCA, *Merriam*

Teresa Johnson, CEO/Executive Director
KC Pet Project, *Overland Park*

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Lawrence Humane Society, *Lawrence*