

**Testimony in Support of Senate Bill 551
to the Senate Committee on Agriculture and Natural Resources
by Secretary of Agriculture Mike Beam
Kansas Department of Agriculture
March 17, 2022**

Good morning, Chairman Kerschen and members of the Senate Committee on Agriculture and Natural Resources. I am Mike Beam, Secretary of the Kansas Department of Agriculture (KDA). Thank you for scheduling today's hearing on Senate Bill 551, which was requested by me on behalf of KDA. The primary purpose of this bill is to statutorily create a Pet Animal Facilities Inspection Division that would replace the current Animal Facilities Inspection Program.

Currently, AFI is a program within KDA's Division of Animal Health, thus the program is supervised and managed by a program manager and the Animal Health Commissioner. The Animal Health Commissioner is appointed by the Secretary and serves at the pleasure of the Secretary and Kansas Animal Health Board. SB 551 would transfer the duties, regulations and staffing of the AFI program to the new Pet Animal Facilities Inspection Division. As before, the new Division would remain within the Kansas Department of Agriculture. Furthermore, the new Division would be administered by a director, under the supervision of the Secretary.

There are a number of reasons why a new Pet Animal Facilities Inspection Division will improve the service our department can provide to the state of Kansas.

The Kansas Legislature passed a bill in 1988 that created the licensing and inspection of certain facilities that house or distribute pet animals. This program has always been under the supervision of the Livestock Commissioner or Animal Health Commissioner. (The 2011 Executive Reorganization Order changed the Livestock Commissioner's title to Animal Health Commissioner.)

It's important to note the Division of Animal Health and Animal Health Commissioner are charged with regulating the health of our state's essential livestock industry. In regard to livestock health, much has changed during the past 30 years. Today's state and federal animal health officials spend considerable time collaborating on foreign animal disease prevention protocols, conducting outreach to the livestock industry, and constantly preparing for an emergency response to highly infectious and economically devastating animal diseases.

During this same 30 years, the general public's fondness for pets, especially dogs and cats, has grown dramatically. A recent survey of the American Pet Products Association suggested 70% of U.S. households own a pet. Kansas pet food manufacturers have benefited from this growth. Our 2021 Economic Contribution Report now lists dog and cat food manufacturing as the sixth largest sector of agriculture. Those economic factors, combined with observations from our animal health team, suggest

our pet owners and consumers have higher expectations for how pet animals are raised, boarded and cared for.

It has become clear that both missions — livestock health and pet animal care — now make considerable demands on the agency staff's time and focus. This bill would release the Animal Health Commissioner to focus on the rapidly changing livestock health challenges and would elevate the pet animal regulatory efforts with the creation of the new Division, while retaining all these activities within the Kansas Department of Agriculture.

There are other benefits of this legislation. First, SB 551 more appropriately labels the pet animal program from the Animal Facilities Inspection Program to the Pet Animal Facilities Inspection Division. I find most people assume, by the title, animal facilities regulated by the program are livestock operations.

Secondly, placing the pet animal inspection function of our agency into a separate division allows us to more easily track appropriate costs and receipts associated with each function and reduce the reliance of livestock industry fees to prop up the pet animal facilities inspection function.

I want to stress that this bill includes a provision that is intended to make clear the Animal Health Commissioner is “authorized to promulgate any rules and regulations necessary to prevent the spread of contagious or infectious disease among animals of this state within facilities regulated by the Kansas pet animal act” and the Animal Health Commissioner retains his/her authority to issue a quarantine order for a livestock or pet facility found to be infected with a contagious or zoonotic disease that may infect animals or humans.

And finally, there are two items I view as technical cleanup to our statutes. First, in subsection (j) of Section 10 you'll find a clarification to the record retention schedule for past inspection reports. The original retention schedule required time-consuming verification of individual reports based on when a violation was remedied, but we believe the proposed clarification will significantly reduce staff time while providing a longer retention period during which records will be accessible to the public.

Secondly, the proposed language in Section 15 would update the reference to euthanasia methods established by the 2020 American Veterinary Medical Association guidelines.

The bill currently includes a new subsection (d) in Section 11 governing capturing, spaying/neutering and releasing of feral cats. There seem to be some concerns and/or confusion regarding this provision. This policy change needs further vetting, so we respectfully ask the Committee to strike this provision when the bill is considered.

Again, I appreciate the chairman scheduling and conducting a hearing on SB 551. We urge favorable passage of this bill and I'm willing to respond to any questions or concerns.

Thank you.