

Public Workshop for Proposed Animal Care Standards

Workshop Minutes June 27, 2011, 3:30 – 5 PM

Scope of Workshop:

The purpose of the workshop was to discuss general care standards for all species (Section **18 AAC 36.560** in the working draft posted online). Humane euthanasia was also discussed.

Approximately 12-14 people attended by phone with two people present in person.

Representatives were present from the Alaska Farm Bureau, Straw for Dogs, The SPCA, animal control agencies, veterinarians, mushers, 4-H, dog owners, livestock owners, and Rep Alan Dick's office. All comments listed are from participants except those noted as DEC responses.

General Care Standards:

- Farm Bureau: The way these standards are written seem geared toward prosecution.
- DEC: Animal abuse is investigated and prosecuted by law enforcement agencies and the criminal justice system. The standards must be legally useful and as clear and objective as possible for law enforcement to assess any situation they find. A veterinary opinion is required by law to determine whether animal care is acceptable. The animal care standards document defines what is acceptable and not acceptable. The Department of Law has the final say on whether regulation verbiage is consistent with Alaska statute.
- SPCA: It should not be allowed to have dogs tethered all of the time. Dogs on chains need to be required to have a set amount of time or reprieve time off the chain. Caller will send e-mail with specific ideas. (OPEN)
- Mat-Su Animal Care: Reprieve time proved difficult to enforce in Colorado.
- Anchorage Animal Control: Many things are tough to prove or enforce but should be a rule anyway to act as a deterrent. Supportive of adding language to require time off of the tether.
- Dog Owner: Current State statute/laws seem adequate, does not feel that there is a need for these regulations. Animal care standards or regulations should be a local issue. Local people can deal with local differences.
- Local areas don't promulgate rules because people don't want regulations. Caller did not feel that these workshops were adequately publicized; more people should be notified of these proposed standards.
- Dog musher: heard about the standards through various e-mail list serves that most of the mushing community uses. Caller thought the mushing community has had good notification and communication regarding the process. The draft standards seem fair and reasonable.
- 4-H/Farm Bureau: There should evening meetings.

- Straw for Dogs: Meetings have been well publicized. There should be more than minimum standards. Caretaker provided shelter should be required. Prefers a more detailed description of shelter construction vs endpoint of hypothermia. The Mush with Pride guideline of “adequate shelter” is a good way. Man-made shelter should be required as part of the dog standards.
- Iditarod Veterinarian: What about the shelter language we discussed for huts for dogs on chains, and particularly the part about them needing to stand up?
- DEC: We have had extensive discussion of shelter in previous meetings and we recognize the challenge of defining shelter requirements. We recognize that dogs can conserve body heat and that the shelters will be warmer if they are smaller. The dogs are free to stand up and stretch when they go out of the shelter but will curl up inside and do not necessarily need to fully stretch out. As we discussed with the Iditarod vet, we have reviewed the recent British Columbia rules on sled dogs and are considering various options to address this issue. (OPEN)
- DEC: Regarding publication of the workshops, we advertised in newspapers, put out press releases, talked to groups and associations of livestock and animal owners, have built an e-mail list of interested parties, and have information on our web site about the standards. People do not have to participate directly in a meeting to give input on the standards. Many have done so through e-mail or letters. All opinions and comments are considered.
- Livestock owner, Nenana: The standard of animal care should be raised overall. Cows and pigs can do OK in winter, but it has taken time and experience to determine what level of shelter and feed they need in extreme weather conditions. Has seen other’s animals die from lack of water and other preventable things. Has seen dogs tied up to cars with no water. Minimum standards are needed to raise the level of care.

Education (sub-topic of discussion):

- 4-H representative: The educational issue is definitely a challenge. There is a need for more educational outreach.
- Dog Owner: What would the cost be to implement these standards? We should focus on education.
- Straw for Dogs: At the present time the investigation of mistreatment of animals is already costing money. There would be no increase in cost. These rules are tools.
- Rep Dick’s office: Livestock owners fear that these standards would make it hard to do business. We need voluntary participation. We should spend more effort on education. People feel these regulations will be prosecutorial.

- Dog Musher: There is a need to educate, which will cost money, but this process needs to be about stopping criminal activity. Officers can always use discretion when it comes to enforcement.
- Dog Musher: This is all about stopping criminal activity.
- Mat-Su Animal Shelter: It will take a community effort to improve things. We need minimum standards and it can't wait.
- DEC: We think an educational outreach is a good idea. People should be aware of what constitutes adequate animal care. The standards define what minimal care is. We have not heard any livestock owners give specific reasons why these standards would make it hard to do business.

Humane Euthanasia:

- Farm Bureau: Would a person be prosecuted if they try but fail to euthanize an animal? For example, if a gunshot to the head is defined as an acceptable method of euthanasia, if two shots are required because the first shot is not accurate would the owner of the animal be in violation of the regulations?
- DEC: The draft requires the person retry until successful "If death is not apparent immediately on attempting to kill the animal a second attempt must be made immediately. The person responsible for the euthanasia must ensure that the animal is dead before leaving the animal's body". Every euthanasia attempt of any sort carries some risk of failure. That would have to be taken into account when investigating the complaint. The DEC does not decide what is prosecuted. This would be similar to Fish and Game rules that require a person make every attempt to ensure that an animal they injure while hunting is promptly dispatched.
- Farm Bureau: What about baby runt pigs that need to be culled?
- DEC: A blow to the head is accepted for pigs under 3 weeks old.
- DEC: The current draft requires that euthanasia be done by method acceptable under American Veterinary Medical Association guidelines. The only exception would be allowing a gunshot to the head for cats and dogs where no animal control agency or veterinarian is available, or it is the only practical method (i.e. feral animal that cannot be captured) or gunshot to the heart area when the brain must be preserved for rabies testing. We understand that this practice is upsetting to some people; however, we recognize that this is the only practical method in some areas of the state to minimize animal suffering. For animals that can be euthanized with gunshot, such as livestock for personal consumption, we intend to post educational information on the correct shot placement for various species to ensure rapid and humane death. DEC will further consider language on unsuccessful attempts at euthanasia. (OPEN)

- Rep Dick's office: What is the process for getting lay people certified to perform euthanasia by injection?
- DEC: You would need to consult with the Department of Commerce, Community and Economic Development, Division of Corporations, Business and Professional Licensing (http://commerce.alaska.gov/occ/home_professional_lic.html). The specific site for regulations regarding permits to euthanize domestic animals (<http://commerce.alaska.gov/occ/peut.htm>).

Open Forum:

- What about stray dogs that kill your livestock? The state troopers say their "hands are tied" on this.
- DEC: That would seem to fall under property crimes. These standards would not be applicable to that type of situation.
- How would false accusations be handled?
- DEC: Any law enforcement agency that does an investigation may decide that charges are not warranted. By law, they must consult with a veterinarian, who would use animal care standards to render an opinion on the situation. One purpose of the standards is to clarify in an objective manner what constitutes minimal care, so that the investigator may more easily assess these situations.
- Dog musher: Regarding the clause on "needlessly mutilate", it might be written better using the word "cruelly".
- DEC: The purpose of the clause is to deter somebody from cutting a puppy's throat and leaving it to die on a snow bank, as happened recently. This clause has been informally reviewed by our DEC attorney but has not undergone formal legal review by the Department of Law. We will continue to consider the alternative wording of this clause, although the language we can use may be limited by what is in statute. **(OPEN)**
- Rep Dick's office: How long will these standards be draft vs "on the books"?
- DEC: After the workshop next week, we will be put out a draft for the formal public comment. We plan to have a 60 day comment period. After that, a final draft undergoes legal review, and changes are made as needed. Regulations are then adopted by the state and go "on the books". The process generally takes about 3-4 months.
- Discussion after meeting adjourned: There needs to allowance for gunshot within the Municipality of Anchorage (MOA), when needed to euthanize an animal.
- DEC: This is not within our authority; however, we can discuss with MOA and determine what could be done to allow for that. **(OPEN)**