

SENATE BILL REPORT

SB 5832

AS REPORTED BY COMMITTEE ON AGRICULTURE, MARCH 3, 1993

Brief Description: Requiring humane societies and animal control agencies to offer animals to homes, research facilities, or commercial establishments before euthanasia.

SPONSORS: Senator Barr

SENATE COMMITTEE ON AGRICULTURE

Majority Report: That Substitute Senate Bill No. 5832 be substituted therefor, and the substitute bill do pass.

Signed by Senators M. Rasmussen, Chairman; Anderson, Barr, Bauer, and Snyder.

Staff: Katie Healy (786-7784)

Hearing Dates: March 1, 1993; March 3, 1993

BACKGROUND:

Local government regulates the impounding of animals running at large.

Transfers of animals, other than rats and mice bred for use in research and livestock, to research facilities must conform with federal law. Animals obtained from sources inside the United States must be accompanied with a breeder certification or a true owner certification. The true owner certification requires that the animal being transferred is owned by the person signing the certification, and that the person has no knowledge that the animal is a pet animal or consents to having the animal used for research at a research institution. Certifications signed by or on behalf of humane societies, animal control agencies, or animal shelters do not need to indicate that the society, agency or shelter owns the animal. However, the statement must indicate that the animal has been in the possession of the society, agency, or shelter for the minimum period required by law that entitles it to legally dispose of the animal.

SUMMARY:

A humane society or animal control agency may not euthanize any animal in its custody if such animal is suitable for placement in any home, research facility, or commercial establishment. A veterinarian determines nonsuitability according to criteria adopted by the state Department of Agriculture. The society or agency may not refuse to place any animal when the refusal is based on the status of the purchaser or transferee as a participant with a medical research facility or pet store.

All shelters, pounds, or facilities that receive funding from any state, local, or federal government authority must make animals in their possession available for ownership at a reasonable cost to any individual or organization that legally sells animals for domestic ownership, animal husbandry, animal research, or other legal activity, to any organization conducting animal research in compliance with federal law.

After any waiting period restricting euthanasia of the animal has expired, an appropriate individual or organization may take possession of the animal. Pounds or shelters must hold animals and make them available to appropriate organizations for one full additional business day after the holding period has expired. A fee may be charged for an animal. The fee may not be more than any additional expenses incurred over and above the projected expense of normal care and euthanasia of an animal.

Any individual or organization, including pounds or shelters, that interferes with or restricts the proper holding and transfer of an animal is liable for damages suffered by an individual or organization that may have rightfully taken possession of an animal.

EFFECT OF PROPOSED SUBSTITUTE:

The language in the first section is changed to make it consistent with the second, reflecting that the impacted agencies are those that receive public funding. Agencies may euthanize animals, and there is no longer a requirement that a veterinarian examine them for suitability. A legal owner placing an animal with an agency must give written notice of intent that the animal be euthanized rather than placed with a research facility.

Appropriation: none

Revenue: none

Fiscal Note: none requested

TESTIMONY FOR:

This measure would do away with incentives to illegally gather animals to sell to animal research. This would make animals available for use in teaching or research, and makes the transfer of animals not subject to challenge. The holding period at the pound ensures that the person whose animal is lost or stolen will have time to get it back. There are many horror stories about animals stolen and sold to research facilities because of the increase in price. Veterinarians will determine the suitability of an animal for placement. Unwanted dogs can go into research. Sixty-five percent of animal research is observational and interactional. This cuts back on the animals killed and helps humankind and animal kind. The research animals provide is necessary. Like legalizing liquor, this puts the bootleggers out of business.

TESTIMONY AGAINST:

For most humane societies, their articles of incorporation prohibit turning over animals to research. The humane societies would not be able to do animal control anymore because there would be a conflict between the mission of the humane societies and the law. Companion dogs and cats should not be used for research. People would abandon rather than turn animals over to shelters where they might be transferred to research facilities. Humane societies have criteria for adoption of pets. This is reviewed locally and nationally, in order that animals might be put into quality homes. Because the societies are nonprofit, there might be a question as to their status if they start to sell animals. They require that animals be spayed or neutered. This might affect their desirability for pet stores or research facilities. Several questions are raised, including how the suitability criteria is established, how reasonable fees are defined, and whether humane societies should become supply houses for research centers. Adoption fees could be jeopardized. Fees include spaying and neutering so there is a fiscal concern. The societies already do "suitable placement" of animals. If the agencies are forced to hold the animals even an additional day, there would not be enough space, and they could not comply. "Pound seizure" is not only opposed throughout the state, but nationally. The trust from the public would be gone. The cost would be very high to have a veterinarian examine every animal. Pet shops usually bring litters to the humane society that they cannot sell. In states where owners were asked if they wanted their animal to go to research, the dislike was extremely high. Humane euthanasia is a better alternative than research. Humane societies have a hard time scraping by anyway. If the public trust is violated, then funding sources decrease. The solution would be to give the person an option. The cost at some facilities is \$130 per month to call a rendering truck to dispose of about 30 carcasses. Let the U.W. buy their animals.

TESTIFIED: CON: Doddie Honrud, Bellingham/Whatcom County Humane Society; Gregory Bloomfield, Kitsap Humane Society; Sylvia Thorpe; Larie Raymond, Progressive Animal Welfare Society; John Benedict, Northwest Field Trial Co. (pro)