

Here are the minutes of the Harrisonburg meeting held on Saturday, 11/27/04.

This was the fifth of the “November round” meetings, and we had yet another good meeting.

As stated in the minutes of the other “November round” meetings, our intention is to summarize the conclusions from the November meetings and, as indicated by the will of Virginia Voters for Animal Welfare, to suggest language for any moral persuasion initiatives or legislation for which VVAW will seek patrons in the General Assembly in January, 2005.

In addition, we will continue to reach out to each constituency involved in Virginia’s animal welfare, meeting with each group, and seeking common ground.

The schedule for the previous week (week of 11/22/04) included Don’s trip to Kentucky to meet with lowered cost/high volume vet, Dr. Michael McDonald.

The schedule for the upcoming week (week of 11/29/04) includes meetings with various members of the General Assembly to present the legislative initiatives that won consensus within Virginia Voters for Animal Welfare.

Lillian Clancy and Don Marro

A meeting regarding of the Virginia Voters for Animal Welfare focused on pet overpopulation started at 11:00 am at the Hampton Inn in Harrisonburg on Saturday, 11/27/04.

Attendees:

Lillian Clancy  
Peyton Coyner/Nelson County Humane Society  
Donald Marro  
Mollie McCurdy/independent  
Dawn Morris/independent  
John Morris/independent

unable to attend:

Shane Ayers  
Susan Blackley  
Nita Lewis  
Nick Stover

Introductions

Attendees introduced themselves and spoke briefly about their reasons for attending.

## Agenda

1. The meeting started with Lillian Clancy listing, as has been the case in all the November meetings, the top three priorities of VVAW: s/n, elimination of gas chambers, and support/upgrade of the animal control function. And again it was pointed out that no matter how good programs suggested by VVAW might be, nothing will change unless programs are funded.

Funding mechanisms such as a tax on pet food and supplies, and a tax on vet bills, were mentioned, but the funding of programs through a “user pays” system seems to make most sense.

2. Don Marro indicated that there now appear to be 5 initiatives on which we will work in the immediate short term.

The first would require humane education in some form, but not propaganda, in Virginia’s public schools from kindergarten through college. Several are working on curriculum ideas. Don said the program will focus on responsible ownership. He mentioned the “Shelter Animals Dream of Home” project as an example of the way a program could be developed. He also said that artwork from that program, done under Cynthia Mantalos, will be on display in Richmond when the General Assembly is in session.

## FUNDING

3. Don Marro said the most important initiative is the one that will fund other initiatives. Currently, all funds for animal programs come from the general fund, i.e., property taxes, and so animal welfare suffers from insufficient funding, with a virtual certainty that property taxes will not be raised to fund additional animal issues.
4. Peyton Coyner said the government establishes many such unfunded mandates that leaves the counties scrambling.
5. Mollie McCurdy said that according to her local paper, The News Leader, it was reported on 11/24 that in past years, some of the animal friendly license plate money has gone to the SPCA and some to Kindred Spirits, an all-volunteer spay/neuter clinic. Recently, the supervisors voted 6-1 to give all of the license plate money to Kindred Spirits. This year the county received \$1,830 from the license plates.

Mollie noted that this is Augusta County.

6. Don Marro mentioned the pressure that was brought to bear on Page County in the last several years, and the changes that resulted, including the opening of a new shelter, even though ostensibly there had been no money to make change until civil fines were levied

against Page. Don described going to the opening of the new shelter and meeting Dr. Butts, the State Veterinarian, who attended this special event, coming from Richmond.

7. With compliance in terms of buying dog licenses ranging from about 0 to about 15%, a principal source of funds goes uncollected. Even if there was 100% compliance and licenses were sold at the maximum price now allowed by state law of \$10, there would still not be enough money to replace the \$32 million now coming from the general fund to pay for animal control, shelters, and pounds.

Don hopes there will be several patrons for a bill changing the cap on dog licenses as the way to fund animal programs.

8. Don said building the new Page County pound exceeded \$500,000.

Peyton Coyner said a new building they just constructed in Nelson County cost \$400,000.

Don noted that the capital funds spent by Page to build their new facility is not part of the \$32 million in operating expenses for animal programs, but is in addition.

Don suggests that perhaps a bond issue program which combines private and public interests, as Don Thorne has done with the Roanoke Valley SPCA, could be a “phase 2” for other jurisdictions.

9. Raising the cap for dog licenses to \$35 and for cats to \$15 with free licenses to those unable to pay is suggested.

Don noted that there are a couple of “kickers” in the plan:

- a. Licenses are free if an owner says they cannot pay; this will be a way to change the non-compliance mindset and to identify where owned dogs are. For the second year, the local jurisdiction could decide if the license would be free, or would require a means test. Multiple animal households would pay \$2.00 for additional companion animals, and the current kennel license program would not be touched.
- b. License funds would be earmarked for animal activities until enough was collected to replace the \$32 million currently required. Funds would first go to s/n activities, then for rabies, and then for animal control programs and personnel. When compliance is fully ratcheted up, license funds will displace funds for animal programs now coming from the general fund.

Don noted that earmarked funds will not be “raided” if a proposed constitutional amendment is successful; that initiative is already before the legislature but it is not a program of VVAW, but deserves support.

- c. Don described the proposed animal license program as like hunting and fishing licenses programs, and he wants to ensure that those who do not comply with license requirements get more than a slap on the wrist by judges. The proposal asks for zero tolerance for non-compliance. Ideally, license infractions would be heard in General District Court on the same day as traffic infractions, and handled the same way.
- d. In the future, when all jurisdictions go to maximum caps, the plan would “level the playing field” by raising the caps by \$5 each and transferring 15% of the funds from wealthier parts of Virginia to those jurisdictions with greater needs.

10. Mollie McCurdy asked where money for s/n would go.

Don said it would go wherever the local jurisdiction wanted it to go.

Lillian Clancy said this is why those who want to see funds used wisely must be in close and constant contact with their local county Board of Supervisors, and push for this funding source with their representatives in the General Assembly.

11. Peyton Coyner said that much of this is really a public health issue, and that there is a concern about rabies.

Don said that is why it is so important to get full rabies compliance and to bundle this cost in with license money so all will comply.

12. John Morris asked if there has been any objection raised from richer counties contemplating some of their funds going to poorer counties.

Don said there is always some objection, but he noted that legislators like the idea of sharing.

John continued that he would favor that after the initial 10 years of this program, that 15% of funds from wealthier counties could be transferred elsewhere in the state and use those funds as a way to get the poorer areas up to speed.

13. Dawn Morris wondered if vets are on board with this initiative.

Don said that the meeting held with Dr. Escobar who heads the Virginia Veterinary Medical Association (VVMA) suggests that VVMA would be prepared to support it.

Dawn mentioned that she is aware that not all vets push licenses.

Several people described ways licenses could be available to make purchase and compliance far more convenient.

#### CHANGE IN RELEASING AGENCY DEFINITION AND S/N REQUIREMENTS

14. Don Marro said it is critical to extend s/n as widely as possible without infringing on responsible breeders like Marge McClung and her organization (see below).

To do this may be as simple as changing the definition of releasing agencies. Currently a releasing agency is a shelter, pound, or rescue. The new definition would add pet shops and casual, for-profit, backyard breeders to the list.

15. John Morris asked Don to define “casual”. Don said the definition is being developed by breeders, but he sees it as those motivated only by profit rather than as a hobby, affection for the breed or desire to improve the breed.

Don described a recent meeting with Marge McClung who heads the Virginia Federation of Dog Breeders. He said that perhaps by simply belonging to this federation would elevate the breeder above “casual, for-profit BYB” status. Don understood from Ms. McClung that she is not supportive of casual, for-profit, backyard breeders and sees their activities as counterfeiting and polluting.

VVAW hopes to work with her and her group to push a “gold standard” for breeding as a way to help control irresponsible breeders.

16. Lillian Clancy indicated that most, if not all, who advertise in the Washington Post, for instance, would likely be categorized as irresponsible.

Don Marro then described the study done of two issues of the Washington Post. The number of dogs entering the system is a problem as is the substantial loss of revenue to the Commonwealth and local jurisdictions from business licenses and sales tax.

17. Mollie McCurdy added that not only are there financial issues, but so many animals sold in this way are sick, have never had vet care, and otherwise are unsound.
18. John Morris wondered if this isn't a business tax issue. Don said it is since business licenses and collecting sales taxes should be the norm, but there is no law that requires a breeder to have a breeder's license, nor should there be. There should be, however, a business license and payment of sales and income tax.
19. John wondered if a “puppy tax” could be considered, and that anyone selling puppies should pay a tax on that sale.

Don feels that any new tax proposed will be DOA. However, the law currently requires that businesses must have business licenses, must pay sales tax, and must pay income tax.

20. Peyton Coyner said then a lot of this issue is lack of enforcement. Don says not paying sales tax is a crime, and even limited enforcement would send a loud message.

John Morris suggested enforcement by having agencies (Sheriff's department or Department of Taxation) contact people running ads and review their payment records.

21. John Morris suggested a campaign that would ask why anyone would buy from an unlicensed breeder, asking "Would you have an unlicensed doctor or nurse deliver your child? Then why get your pets from illegal unlicensed breeders?"

Don suggested that he work on such an initiative that VVAW will help broadcast.

22. John Morris asked if vets need to renew licenses, and he was told they do. John wonders if there could be a requirement for vets to perform some kind of pro-bono work, perhaps 100 hours per year doing free spay/neuters, working at a pound, or giving free checkups at alternate locations.

Don suggested that John work through Dr. Escobar to determine the current status of pro-bono requirements and work for change if appropriate. He added that discussing this with Dr. Escobar adds gravitas to any effort.

23. Don said there are vets who really care about the animals and see their work as beyond being a business. He mentioned his visit with Dr. McDonald in Kentucky to see his protocol in surgeries performed during his visit. Don noted the advantages this new protocol may offer to veterinary surgery in general, and to lowered cost/high volume s/n in particular.

#### MICRO-CHIPPING

24. It was also proposed that protecting one's investment and encouraging responsible ownership led to the suggestion that releasing agencies microchip the animals released.

Don said if an animal is lost or abandoned or killed on the roadside, there is often no way to know the source of that animal, and no way to address the moral and legal wrongs of abandonment.

It ought to be easy to know whose dog it is.

25. John Morris discussed the competing technologies for the chips, and wondered about the cost of requiring facilities to have various types of scanners for the various kinds of chips.

Don said that in time a standard technology will emerge, and his experience is that the prospect of larger markets drives standardization. However, even before that happens, having 2 or 3 scanners per facility, even if purchased (though many are donated by the chip manufacturers) will pay for itself in short order, saying the savings in keeping an animal out of the system by being able to almost instantly re-home a stray, easily outweighs the cost of 2 or even 3 scanners.

26. Mollie McCurdy wondered who would enforce this new initiative, saying that her county, Augusta, is one of the largest in Virginia, but there are but 2 animal control people.

Don said license fees are the key to this, and they will grow and be successful incrementally, but only if the local jurisdiction wishes to make it so.

27. Peyton Coyner wondered if various humane societies would resist chipping. Don said that many already do this, as the VVAW study (still underway) is showing. Certainly there may be resistance, but the case may need to be made that returns, cost avoidance and encouraging responsible ownership are substantial benefits to overcome opposition.
28. Don Marro further noted that if a person has paid for a dog, whether through an adoption fee or purchase, it is in the owner's interest to find that dog if it is separated from its owner. The case is even stronger for working dogs. Those dogs represent a considerable financial investment.
29. The study being done by VVAW on chipping is nearing completion, and will be posted on the website when done.

#### GAS CHAMBERS

30. Both gas and IV euthanasia are methods approved by the State Vet and the state and national veterinary organizations.
31. Don described the meeting with 3 veterinarians in the office of the State Vet: Dr. Butts, who is the State Vet, Dr. Cardin and Dr. Wilkes.

Don noted that we submitted a proposal to Dr. Butts asking that gas chambers be eliminated.

There are a good number of facilities in Virginia with gas chambers still in use, and not only do they raise concern about the manner of deaths they cause for animals, but they also pose a considerable safety risk and liability for the jurisdiction using them as virtually none are maintained or used properly and safely.

In asking Dr. Butts to outlaw gas chambers, Don discussed the fund we are offering which will help facilities using gas chambers transition to I/V euthanasia. Having a fund

to help in the transition should allow Dr. Butts to adopt the program more easily since any economic objection would be overcome in whole or large part.

32. Mollie McCurdy, in her years as a humane investigator, has seen even feral cats properly handled and humanely euthanized without resorting to a gas chamber. Those having to euthanize can be trained to euthanize with I/V euthanasia techniques.
33. Lillian Clancy mentioned that VVAW is conducting a study regarding use of gas chambers nationally. A study that seemed simple has some challenges, but the goal will be met to find out what is being done nationally and post it on the web. The study was initiated when a Virginia State Senator wanted to know if other states have outlawed gas before committing to support such a bill.
34. Mollie McCurdy mentioned a case in Tennessee where an employee using the gas chamber died. She is tracking down those details.
35. Don indicated that Dr. Butts will likely make a decision on our proposal to outlaw gas before leaving his post at the end of this year. If Dr. Butts does so, this would be the simplest way to do it. If not, we must go to the legislature with this unless there is another alternative.

#### NEXT STEPS

36. Lillian Clancy suggested that details of the initiatives would be posted for final comment. It is imperative thereafter that everyone start working with their local Boards of Supervisors and state senators and/or delegates to get them to support the initiatives.
37. Don suggested that local Board of Supervisors be asked to pass a resolution in favor of license fee cap increases.
38. Don also talked about the meeting with Gov. Warner's staff to ask for a task force to focus on licensing fee compliance if the licensing fee legislation is passed.
39. John Morris wondered about recruiting students at colleges, starting with the school in which he is involved, to talk up various animal issues. He also wanted to know how to know which humane societies and SPCAs should be approached for their support.

He further suggested that fraternities could become involved in humane education as their philanthropic project.

Peyton Coyner suggested that John should try to work with local humane societies to start that kind of interaction.

40. A brief discussion took place about the stress in shelter staff produced by killing. Many ultimately withdraw from interacting with pound animals because they know the animal will soon be killed.

Peyton Coyner said after they established a no kill shelter, they have gotten a large number of volunteers who can now more easily stay with the program and work with the animals since they know the animals will not be killed.

It was suggested that stopping the flow – stopping the need to have to make these killing decisions - is what the entire effort is about.

The meeting was adjourned at 1 pm.