

**Department of Agriculture, Division of Animal Health**  
**Notice of Hearing on Proposed**  
**Administrative Regulations, Statewide**

A public hearing will be conducted at 10:00 a.m., Tuesday, March 22, 2016, in the 1<sup>st</sup> floor meeting room 124 of the Kansas Department of Agriculture, 1320 Research Park Dr., Manhattan, Kansas, to consider the adoption of proposed regulations.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rules and regulations. All interested parties may submit written comments prior to the hearing to the Secretary of Agriculture, 1320 Research Park Dr., Manhattan, Kansas, 66502, or by e-mail at [ronda.hutton@kda.ks.gov](mailto:ronda.hutton@kda.ks.gov). All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulations during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request that each participant limit any oral presentation to five minutes. These regulations are proposed for adoption on a permanent basis. A summary of the proposed regulations and their economic impact follows:

K.A.R. 9-18-31 states the methods pet animal licensees must follow for the euthanasia of animals.  
K.A.R. 9-26-1 is the existing regulation related to euthanasia of pet animals, and is to be revoked.

**Economic Impact Statement:**

The regulations are proposed for adoption by the Kansas Animal Health Commissioner to implement the Kansas Pet Animal Act. K.S.A. 47-1718, amended in 2015, requires the Commissioner to promulgate rules and regulations regarding acceptable methods of euthanasia of pet animals, consistent with or more stringent than guidelines adopted by the American Veterinary Medical Association. The existing regulation on this subject will be revoked. These proposed regulations are not mandated by Federal Law.

The proposed regulations should not have a negative fiscal impact upon the Kansas Department of Agriculture.

No significant financial impact on other governmental agencies or private businesses or individuals is expected. K.A.R. 9-18-31 prohibits the use of inhaled carbon monoxide as a method of euthanasia, which would require an animal shelter or other licensed pet animal facility to employ another approved method pursuant to the AVMA guidelines.

No other less costly or intrusive methods were considered.

The proposed regulations are not expected to have an environmental impact.

Any individual with a disability may request accommodations in order to participate in the public hearing and may request the proposed regulations and impact statements in an accessible format. Requests for accommodations should be made at least five working days in advance of the hearing by contacting Ronda Hutton at (785) 564-6715 or fax (785) 564-6777. Handicapped parking is located on the west side of the building located at 1320 Research Park Drive, Manhattan, and the west entrance to the building is accessible to individuals with disabilities.

Copies of the regulations and their economic impact statements may be obtained by contacting the Department of Agriculture, Ronda M. Hutton, 1320 Research Park Drive, Manhattan, KS 66502 or (785) 564-6715 or by accessing the department's Web site at [agriculture.ks.gov](http://agriculture.ks.gov). Comments may also be made through our website under the proposed regulation.

Jackie McClaskey  
Secretary  
Kansas Department of Agriculture

**K.A.R. 9-18-31. Euthanasia methods; prohibition.** The following portion of the American veterinary medical association’s document titled “AVMA guidelines for the euthanasia of animals: 2013 edition” is hereby adopted by reference: pages 5-102, excluding the section titled “references” on pages 84-97 and any portion that applies to any animal that is not an “animal” as defined in K.S.A. 47-1701 and amendments thereto. For the purposes of this document, the terms “animal” and “euthanasia” shall have the meanings specified in K.S.A. 47-1701, and amendments thereto.

Each licensee who euthanizes any animals shall follow the recommendations and guidelines for the handling and care of animals during the euthanasia process as identified in this document and shall use only the acceptable methods of euthanasia for a particular species to be euthanized specified in this document. Inhaled carbon monoxide shall not be used as a method of euthanasia of dogs and cats. (Authorized by K.S.A. 47-1712; implementing K.S.A. 2015 Supp. 47-1718; effective P-\_\_\_\_\_.)

**K.A.R. 9-26-1.** (Authorized by K.S.A. 47-1712; implementing K.S.A. 47-1718; effective Nov. 15, 1996; amended, T-9-7-1-03, July 1, 2003; amended Oct. 31, 2003; revoked

P-\_\_\_\_\_.)

**KANSAS DEPARTMENT OF AGRICULTURE**  
**IMPACT STATEMENT**  
**Proposed Regulations**  
**K.A.R. 9-18-31 (New) and K.A.R. 9-26-1 (Revoked)**

**I. Summary of Proposed Regulation, Including Its Purpose.**

K.A.R. 9-18-31 states the methods pet animal licensees must follow for the euthanasia of animals. K.A.R. 9-26-1 is the existing regulation related to euthanasia of pet animals, and is to be revoked.

**II. Reason or Reasons The Proposed Regulation Is Required, Including Whether Or Not The Regulation Is Mandated By Federal Law.**

The regulations are proposed for adoption by the Kansas Animal Health Commissioner to implement the Kansas Pet Animal Act. K.S.A. 47-1718, amended in 2015, requires the Commissioner to promulgate rules and regulations regarding acceptable methods of euthanasia of pet animals, consistent with or more stringent than guidelines adopted by the American Veterinary Medical Association. The existing regulation on this subject will be revoked.

These proposed regulations are not mandated by Federal Law.

**III. Anticipated Economic Impact Upon The Kansas Department Of Agriculture.**

The proposed regulations should not have a negative fiscal impact upon the Kansas Department of Agriculture.

**IV. Anticipated Financial Impact Upon Other Governmental Agencies And Upon Private Business Or Individuals.**

No significant financial impact on other governmental agencies or private businesses or individuals is expected. K.A.R. 9-18-31 prohibits the use of inhaled carbon monoxide as a method of euthanasia, which would require an animal shelter or other licensed pet animal facility to employ another approved method pursuant to the AVMA guidelines.

**V. Less Costly or Intrusive Methods That Were Considered, But Rejected, and the Reason for Rejection.**

No other less costly or intrusive methods were considered.

**VI. Environmental Impact**

The proposed regulations are not expected to have an environmental impact.