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March 13, 2015

Dr. Carolyn Bissett
Acting Program Manager
Animal Care and Emergency Response
Virginia Department of Agriculture and Consumer Services
P.O. Box 1163
Richmond, VA 23218

RE: No Kill Advocacy Center Petition on Rulemaking

Dear Dr. Bissett:

The Virginia Association of Counties (VACo) understands that the Virginia Department of Agriculture and Consumer Services (VDACS) is considering a new rulemaking in response to a petition submitted by the No-Kill Advocacy Center (NKAC.)

VACo is concerned about how county governments will be affected by this proposal, especially if it results in the prohibition on, or imposes additional restrictions on, the ability of local shelters to administer euthanasia.

Current requirements that are imposed upon animal shelters already constitute a substantial unfunded mandate that strains local budgets. Nevertheless, with limited financial resources, local governments have worked hard to comply with Virginia's Comprehensive Animal Care Law.

When a local shelter takes an animal into its custody, the first priority for the custodian is to locate the owner. The next step is to make the animal available for adoption. The least preferred option for the shelter is always euthanasia and is administered only as a last resort.

Local employees responsible for managing public shelters are dedicated professionals committed to the humane treatment of all animals. Local shelters are being overwhelmed by the problem of animal overpopulation. This highly undesirable situation can be most effectively addressed not by additional regulations, but through heightened enforcement of existing laws along with educational and outreach programs to encourage greater responsibility among all pet owners. A regulatory change to either ban euthanasia, or make it more restrictive, is likely to worsen the animal overpopulation problem.

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Under Virginia's Comprehensive Animal Care Law (Section 3.2-6500 et seq. of the Code of Virginia), animal shelters are already subject to many stringent requirements. For example:

- Animal shelters are subject to inspection by the state veterinarian;
- Animal Control Officers, Humane Investigators and custodians managing shelters are required to maintain detailed records for each animal taken into custody;
- Animal shelters are required to meet specific standards in providing care (including medical care) to all animals in their custody;
- All animal shelters are subject to specific requirements not only relating to proper procedures for administering euthanasia, but also minimal holding periods to assure adequate time for the animal to be available for adoption.

VACo therefore urges VDACS to deny the petition by NKAC for a rule-making pertaining to animal care.

Thank you very much for your consideration of this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Larry Land", is written over the typed name and title.

Larry Land, CAE
Director of
Policy Development