

Present: Polly Britton (Ohio Association of Animal Owners), Mike Bumgarner (Ohio Farm Bureau Federation), Harry Dates (Federated Humane Societies), Tony Forshey (Ohio Department of Agriculture), Lewis Greene (Columbus Zoo), Michelle Holdgreve (Ohio Veterinary Medical Association), Carolyn McKinnie (USDA-APHIS), Karen Minton (Human Society US), Andy Montoney (USDA-WS), Jeremy Rine (US Sportsmen's Alliance), Dale Schmidt (Columbus Zoo), Fred Shimp (Ohio Department of Agriculture), Alan Sironen (Zoo Association of America), Tom Stalf (Columbus Zoo) James Zehring (Ohio Department of Agriculture).
ODNR: Kim Berridge, Bill Damschroder, Dee Hammel, Paul Kurfis, Ron Ollis and Scott Zody.

Handouts: Meeting Notes for October 24, 2011.

Introductions & Discussion: Scott welcomed everyone and thanked Dale for hosting the meeting at the Columbus Zoo. Ron has not altered the draft language so we will begin our discussion with version #7. There are a few outstanding issues on the framework and our purpose is to get the framework fleshed out. Scott turned the meeting over to Ron to begin reviewing the draft legislation as follows:

- Ron asked everyone to take one last look at the species list and determine what (if any) do we want to add or leave "as is."
- Lewis suggested several changes to the primate list. He also questioned whether we should include hippos, rhinos, wild dog species, etc.
- Dale suggested making the language "strong."
- Ann asked why boas and pythons were not removed?
- Alan agreed with Dale, add subspecies and hybrids
- Marjorie encouraged us to add Wolf hybrids to the list because Seneca County included them.
- Scott reiterated that we had discussed these issues multiple times. Scott mentioned that Chip wanted to strengthen ORC 955, which is the dog warden law and details how they deal with animals.
- Senator Hite- asks if buffalo/bison were on the list.
- Dr. Forshey noted that buffalo and bison are livestock animals and therefore not included in this language.
- Dale indicated that we should be looking towards the future and what our needs will be then, rather than just focusing on the present.
- Scott said that some counties/cities already have rules in place to deal with exotics and it is not our intention to usurp their authority.
- Marjorie said that as long as they are an approved fiber/food source they would be exempted.
- Ann stated we are not including the large constrictors or venomous on Class 2 – we need to be consistent.
- Mike said we need to talk about exceptions. Specie that we talked about was the Feral Swine (more of a health risk).
- Alan would have to have a permit from USDA.
- Dr. Forshey stated that as long as they meet the requirements, they can bring the animal into Ohio.
- Zehring asked, "How difficult is it to add or take off species?"
- Scott said it would require additional language to add to the list. We want to keep broad authority.
- Michelle asked, "If there is a new threat, can the Agricultural Director quarantine?"
- Dr. Forshey stated, "Yes."
- Polly opposes adding species "at will" to the language.
- Tom stated that we did not list scorpions or spiders.
- Ron stated we discussed earlier that if it has to bite on you a while before you are harmed, then we have not added them.
- Ann mentioned that early on we defined dangerous, but doesn't see it here – we need to define it. And, we should also talk about what is not listed.
- Scott stated that we spent a lot of time talking about it. We all came up with different definitions so we went to creating the lists instead.
- Kathy wants to include all Macaques, but not Servals.
- Scott said, "Let's move on from the species list and start reviewing the framework."
- Ron – Page 3 restricted species, added contract services. We need to have the ability for other law enforcement agencies to act as an officer/enforcement of section.
- Mike asked, "Should we include "restricted species" each time?"
- Ron – "no," once LSC gets the language they will flush it out.
- Jeremy – it appears as if this language gives law enforcement broader authority?
- Ron – Sheriff Offices get upset because we turn our drug cases over to local authorities.
- Jeremy – will other agencies get involved?
- Scott – it doesn't have to only be ODNR. We should include Agriculture, Health and local agencies. We drafted the framework to be broad in order to cooperate with other agencies – it gives us more flexibility.
- Ron said funding will be an issue, especially cross-agencies.
- Harry asked, "Why wouldn't wolves or wolf hybrids be included in the language?"
- Ron spoke with breeders who say wolf hybrids should not be on the list.
- Kathy – it seems inappropriate to leave them off the list.
- Polly – if ODNR ends up with this legislation, do they want to be dog wardens?
- Kathy – If someone has a wolf, they should have to maintain it as a wild exotic.
- Scott – perhaps we should put purebred wolves on the list, but get assistance from Dog Warden Association. Who would prove whether the wolf is a purebred or hybrid? DNA would have to prove it.

- Andy – the owner would have to produce papers on purebred.
- Scott – if they have a purebred, they would have to show paperwork.
- Marjorie – appreciates language as it took them 1-1/2 years to put their legislation in place.
- Scott – we will put purebred wolves on the list and leave hybrids off.
- Dave – Wild dogs and hyenas should be included as well.
- Scott – is there a definition of wild dogs already?

Governor Kasich: Governor Kasich joined the meeting via phone. Emphasized he doesn't want any nonsense. He has been in contact with Jack Hanna and finds this situation (unregulated DWAs) unacceptable. Fees have to be significant and we need succession planning. He wants a strong ban and fees that underscore the serious nature of what it will take to possess such animals. No one should have a bear, primate, etc. He sees no reason why people own these animals. All auctions must be banned. Believes we should not have Zoo's on someone's private property. Sheriff Lutz did a great job, along with Jack Hanna. All agencies need to be on board. He appreciates the work that has been put in so far. We can't jeopardize human life. He will work on the funding side of things. Legislation will move along and we need to be tough.

Discussion Continued:

- Marjorie – Is this a regulation or a ban?
- Scott – Class I restricted list would be banned (exceptions include zoos, rehabilitators, circuses, sanctuaries, species survival plans). Individual ownership will go away. We still need to grandfather the animals, which will allow a window of time and permit us to find a place for the animals to go if they are seized.
- Ron – 4th & 5th amendment has to do with private property owner rights.
- Bill - we are working with AG's office and we don't think ownership/compensation comes into play as there is a health/safety issue
- Mike – Class I and Class II - snakes will be regulated and not banned.
- Ron – people will keep snakes privately so at least by having a regulation you will know who has them.
- Lewis – doesn't the placard issue create more of a problem? Then, people can break in to steal the animal.
- Michelle – wants venomous and constrictors added back on the list. Karen agreed.
- Lewis – Zoo has to give up their anti-venom serum and then they have none. If you are a snake owner, then you should be required to keep anti-venom serum.
- Marjorie – Is the grandfathering just for the life of the animal?
- Ron – we will be more restrictive in some instances. Illinois outlawed venomous snakes and have grief/problems over it.
- Bill – why do those states have problems? If they are banned and we find them, then we can confiscate them.
- Ron – concern with USDA exemptions for hobbyists. Looking at reconsidering venomous snakes.
- Bill – if someone is found to have one, if it is alive we give them a chance to get in compliance. If it is a straight ban, then it can be removed/seized.
- Carolyn – would the grandfathered people still have to have insurance?
- Ron – a separate area is being written on insurance.
- Lewis – you are removing anti venom serum from the zoo and that puts our staff at risk. It is very hard to get anti venom serum as FDA regulates it. Zoos only keep anti venom serum for the animals they keep on hand. That is why a number of years ago, they reduced the number of animals they had as it was too costly to keep the anti-venom serum.
- Scott – do we want to eliminate the classes and do a full out ban?
- Zehring – would a ban on venomous snakes be too big of a task?
- Polly – if venomous goes to Class I - would an owner be able to get a license for 3 years?
- Ron – it could be renewed for up to 3 years.
- Mike – is there a way to list venomous, but not deadly?
- Scott – for purposes of framework, all non-native venomous snakes will be included in Class I.
- Marjorie – Seneca County listed venomous because people had released them into the wild.
- Tom – why are we not just banning all non-human primates?
- Alan – we defined dangerous as anything that would kill us.
- Tom – Some states do not list individual primates.
- Kathy – monkeys are no longer listed as service animals. There are health resolutions that come into play.
- Michelle – Ohio veterinarians support putting all non-human primates on the list.
- Ron – if you add more species it will cost more to implement.
- Polly – we are talking about banning them as pets, correct? We are now impacting businesses. No new breeding stock after January 2013? This legislation would impact businesses and I don't think that is what the Governor intended.
- Scott – we don't want to go down an unmanageable road. How can we ban everything?
- Lewis – how do other states make it work? North Carolina banned all primates in 2005. Indiana banned them 18 years ago.
- Alan – other states require registration.
- Polly – is the objective to totally ban now?
- Scott – Due to the tragedy of two weeks ago, the world has changed.
- Polly - agreed the Zanesville incident was a tragedy, but what's to keep it from happening anywhere? It could easily have happened at a zoo?
- Ann – there are lots of zoos that would not allow that to happen. Zoos have professional staff that is trained to deal with very difficult circumstances.
- Scott – do we want to separate primates into Class I or Class II?
- Marjorie – there are emerging diseases to consider.
- Ron – In North Carolina there was no exemption for USDA permits and they ban all primates. However, they did grandfather them.
- Polly – are we going to put small primates into Class II?
- Kathy – Does Class II license allow them to keep what they have with a permit and replace?
- Ann – will it be difficult to change things down the road?
- Michelle – All non-human primates should be in Class I (Tom agreed).
- Ron- #1, Class #1, Page 7 – The more animals you own, the more you have to pay. A 3-year cycle is renewable for the life of the animal/species.
- Polly – On Class II only has pythons, boas, and constrictors so snake breeders can still continue? Are we requiring all breeders to work with a zoo? She doesn't want the businesses to be put out of business.
- Mike – agrees with Polly, does not want to put businesses out of business. Can we have broader language?
- Dr. Forshey – If someone brings an animal into Ohio, they have to have a CVI and a permit.
- Alan – A USDA A, B, and C license cannot breed to another A, B, and C?
- Ron – Page 8, #4 Restricted Species Sanctuary License – no sale/trade, lease, etc. Doesn't allow public to come into physical contact with.
- Tom – with new animals coming into the state are we hindering them from doing business?
- Dale – you would have to look at the commercial activity.
- Kathy – do they have to get a license to operate?
- Carolyn – USDA requires Class C license, if an exhibitor is open to the public. Sanctuaries that are not open to the public do not have to be regulated.

- Ron – Commercialism is his specialty.
 - Bill – does that allow the owner to “re-coop” any money lost?
 - Ron – you are paying for the transportation, not the up-keep. Added Item “C” on page 9.
 - Michelle-talked to an insurance company and they can get coverage. It was a company out of Florida.
- added “D” Class I and Class II, restricted species under insurance coverage.
- Carolyn – good idea to have language that if any animal is in unsafe condition has to be rule in place to take the animal immediately.
 - Bill- under 1717.09 it would cover any animal that is in clear and present danger or being cruelly treated. The authorities would have the ability to take possession of the animal.
 - Michelle – we need to add what the Chief is going to have in code. Expand the language.
 - Ron – “F” is going to need a whole new committee (similar to livestock care board).
 - Michelle – Add “including but not limited to” language for general care and welfare of the animals.
 - Ann – why not include state procedures?
 - Kathy – Add husbandry, welfare, public health/safety, transfer language.
 - Jeremy – have a hearing within so many days.
 - Ron – look at 959.31 language.
 - Lewis – who has the responsibility when person comes and pick up their animals to say cages are not suitable?
 - Ron – Add Chapter 119 process. New Item #4, page 10, “unlawful for any person who possesses a restricted species to place an approved placard – must indicate on transportation vehicle as well.” Florida puts a 6 month/25 pound limit on the handling of animals.
 - Karen – we are not always dealing with people who are responsible.
 - Polly – Zoo would go on Letterman (TV) and not be able to have people hold the animals – they would not be unlike anyone else.
 - Tom – we have trained professionals with many years of experience handling animals – it would not be the same.
 - Ann – if it is not lawful to propagate – in a couple of years there won’t be many species left. Are we worrying about a very small group of people?
 - Ron – Physical Content (Item G/H page 10), kept “as-is” (unlawful to allow members of public an opportunity to come into physical contact with Class I or II restricted species.
 - Mike – Item H (I, #7) add “tattoo” identifier.
 - Polly- thought tattoo would be unique for each preserve/reserve.
 - Andy – when you give them a number, it is put on their permit.
 - Ron- has been working with Information Technology Chief Rowley on a database.
 - Alan – could they be ear-tagged or branded?
 - Dr. Forshey – should we say it is unlawful to remove the tattoo?
 - Bill – Does it give permission to other agencies/public to euthanize an animal that is free-roaming?
 - Michelle- would like to see Veterinarians added. Bill Damschroder will draft language for inclusion.
 - Jeremy – probably can exempt them?
 - Andy – any person acting within the scope of their duties should be exempted.
 - Bill – could use language of “release” that when those animals are released, it causes a health/safety issue.
 - Ron – In the event of a death (Page 12, Item N/O) – does anyone have expertise with this?
 - Dale – with Terry Thompson’s death, the zoo attorneys said the property owner still owns the animals.
 - Carolyn – what about a cruelty situation?
 - Ron – believes cruelty is addressed by permit standards so they wouldn’t get their next permit unless they were up to standards.
 - Marjorie – Where it has in the event of death, I would like to see the word “incapacitation” added to the draft as well.
 - Dr. Forshey – Add veterinarian language to who should be exempted. Bill Damschroder is drafting the exemption language for veterinarians.
 - Ann – Without any disrespect, questions accreditation by ZAA as they promote private ownership of exotics on their website. What is the ZAA accreditation?
 - Alan – it can be found on our website.
 - Dale – do all zoos have to meet AZA and ZAA accreditation?
 - Tom – for future, we do not know what will exist 20 years from now. What about saying it is “sanctioned” by the AZA?
 - Ann – everyone should meet or exceed the AZA standards. If you are AZA credited, can you get your picture taken with animals?
 - Alan – “yes,” the accreditation standards meet/exceed the standards of the Chief.
 - Karen – We need to take a look at the ZAA accreditation.
 - Tom – we need to define what we are looking for? What part of this is acceptable and what is not? What is most important for State of Ohio? Does sanctioned by these agencies help to move us along?
 - Andy – we looked at AZA and ZAA care standards months ago.
 - Scott – in regards to the accreditation of Zoos and Aquariums, that are open to the public, we leave the language “as is”.
 - Polly – are we exempting because of USDA standards only?
 - Kathy – ALAC accreditation is pretty tough.
 - Mike – if exempting a mascot why not exempt organizations that are held to a higher standard?
 - Ann – should we add “temporary” language on circuses?
 - Karen – Let’s talk about taking the mascot language out and let the Legislator’s put it back in (if they want). Consensus reached to take the language out.
 - Ron –regarding the transporting of an animal through the state; we changed 72 hours to 48 hours in last meeting. Tom liked the 72 hours.
 - Michelle – Does #7 on the draft exist because of number #6?
 - Mike – why would you exempt as veterinarians have appropriate facilities to treat sick?
 - Dr. Forshey – Surgery stays would normally be less than 72 hours.
 - Polly – Looks like #7 is different than #6. Why not just take out #7?
 - Jeremy – wants Veterinarians to be able to keep the animals in their possession for treatment.
 - Ron- will create special permit for Veterinarians if exceeds 72 hours – valid client/patient relationship.
 - Scott – if animal escapes and injures or kills someone, it should be a felony.
 - Carolyn – would like to be able to view vet records so that when someone is inspecting the facilities, they have good, solid information.
 - Ron – perhaps a Standards of Care subgroup could address this?
 - Scott- asked if we are missing anything. No one brought anything up for discussion.

Tasks/Action Items:

- Andy – will track down language on wolf hybrids with USFWS
- Ron will research spay/neuter language
- Carolyn will send Ron language on seizure/removal of animal
- Ron will research 959.31
- Ron will add Chapter 119 process
- Bill Damschroder will write language to protect veterinarians
- Alan will send AZA accreditation standards via email

- Ron will find the language for Veterinarian's possession if more than 72 hours – valid client/patient relationship

Adjournment (Scott): Scott thanked everyone for their participation on this workgroup. Hope we will no longer need to meet as a group and will handle issues via email/ phone.