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CHAMBERSBURG AREA KENNEL CLUB, INC.

**210 Skyhigh Drive
St Thomas PA 17252**

28 January 2007

INDEPENDENT REGULATORY
REVIEW COMMISSION

Bureau of Dog Law Enforcement
ATTN: Ms Mary Bender
Pennsylvania Department of Agriculture
2301 North Cameron Street
Harrisburg PA 17110-9408

Dear Ms Bender:

I am writing on behalf of the Chambersburg Area Kennel Club to express our objections and misgivings with regard to the proposed changes to the dog law legislation.

General Observations:

- The proposed legislation is more than 60 pages long. That, in itself, is enough to make it difficult for the average non-attorney to follow.
- The existing legislation has enough "tooth" that, if enforced vigorously, would eliminate the perceived problems.
- Similar legislation in several states and communities has created more problems than it has solved.

Specific Points of Concern:

- The proposed legislation intends to be self-funding. As observed, there are some 56,000 unregistered dogs in Pennsylvania. At \$8 per registration, if all 56,000 were registered, that would yield some \$450,000 in additional fees. That is a drop in the bucket considering the added costs of administering the program. Consequently, we conclude that the vast cost above that figure would come from either taxes or fines on non-compliance. In similar circumstances in other places, non-complying kennels go "below the radar" and create a whole new problem.
- The record-keeping requirements are extensive and complicated. Imagine a hobby breeder with a kennel of just 26 dogs and no employees (which is a reasonable assumption considering that 26 dogs would not produce enough income to employ anyone) having to hire a person either to do the paperwork or to take care of the dogs. That additional expense would cost the breeder several thousand dollars a year. To make up the difference, the breeder would have to raise more dogs or get out of the hobby altogether. Either scenario would be detrimental to the supposed intent of the law.
- The requirements that qualifying kennels have concrete runs of a specified size and with built-in drainage would force the expenditure of thousands of dollars. Additionally, the building requirements could exceed acceptable size for zoning or municipal ordinances for the owner's property. Again, this would likely force the breeder out of the hobby.
- The requirement that dogs cannot be exercised on grass is contrary to the concept of animal husbandry. Small kennels raise dogs to be pets. The conditions the pet encounters where it is raised before selling or otherwise removed from the premises have a significant impact on the new owner's ability to train their pet. Several studies at veterinary colleges reinforce the long-held beliefs that puppies and adult dogs should be kept in living conditions comparable to those they will encounter as pets. For example, the studies have found that puppies should be kept with their littermates for not less than

- 10 weeks, and many breeds do better if kept together for 12 weeks. The puppies socialize better with humans if they are raised in close proximity with the humans, in the same living space as the humans. The same is true for whelping females. And, if the proposed legislation insists that the dogs be housed, whelped and raised in a separate building, that again increases the cost to the breeder, who must then hire help around the clock to be sure that someone can watch the animals while the owner gets sleep. It appears that the proposed legislation loses sight of the fact that dogs are pack animals that choose and enjoy contact with humans. Some 10,000 years ago, dogs and humans recognized that each could benefit from a close relationship. The dogs were not enslaved—it was a symbiotic relationship that benefited both the dogs and the humans. The same remains true today. Medical studies support that petting a dog lowers blood pressure. From that simple level all the way to the bloodhounds that find kidnapped children. The greatest benefit is derived when the dogs and humans are in close proximity. They were called “hearth dogs” for a reason.
- What may happen to dogs whose owners are non-compliant can hardly be considered humane: for an adult dog to be confiscated and sent to a shelter to be sold is traumatic. Dogs form lifetime bonds with their human partners. And though many behind this push for legislation do not appear to recognize it, dogs suffer neuroses just as humans do as the result of stress. Ask any vet about the causes of hemolytic anemia in dogs. The answer will be that stress is probably the most significant.
 - In areas where similar legislation has been passed, the results have been dramatically negative: In Massachusetts, shelters are buying dogs from other states to fulfill the demand to have pets available. They are importing some of their dogs from Puerto Rico. Imagine the conditions those cash-crop imports suffer before being sent to the continental US. I daresay that Lancaster puppy mills will look like Eden by comparison. In Louisville KY, the approval of breed-specific legislation, registration restrictions and limit laws have had a severe impact on the community. Dog-related activities have been cancelled wholesale or have moved to less restrictive venues. Hotels have been hit with hundreds of cancellations, restaurants are complaining about significant loss of business, and lawsuits have been filed challenging the legislation.
 - The impact on Pennsylvania has the potential for being equally or more severe. Consider that legitimate dog-related events bring in huge amounts of outside revenue. Ask the American Kennel Club how much an average dog show brings to a community. And bear in mind that, according to Federal Government figures, a new outside dollar entering a community changes hands 8 times before it again leaves the community. Think of the lost revenue to hotels, restaurants, bars, wages, tips, taxes, etc. related to each new dollar lost. On an everyday basis, fewer dogs will have an impact on pet suppliers, veterinarians, pet food sales
 - The proposed legislation will impact conscientious buyers of dogs as well. Most people who buy pets want dogs that are not only healthy but that are raised in close proximity to people. The dog they bring home will be in the house with them, be trained to go outside on grass, be exposed to different surfaces under foot (ranging from concrete to carpet), be used to normal household noises such as appliance sounds, doorbells and phones ringing and TV/music noise, being able to interact with other dogs, and on and on.

If you have read this far you may have concluded that we are more interested in the economic impact on Pennsylvania than we are in the care of the animals. In fact, we are concerned that the proposed legislation is a knee-jerk reaction to pressures from organizations such as PETA whose purported agenda is to protect animal “rights”. PETA is well funded, much better so than the people who will be most severely impacted by the proposed legislation. Yet, before such a decision is made on the legislation, it would be well to look into PETA’s record on animal cruelty. Check <http://www.petakillsanimals.com/index.cfm>.

In the final analysis, a law is only as good as its enforcement. The dog-law legislation currently on the books, if enforced vigorously and conscientiously, would eliminate the problems the proposed legislation is purported to cure. If history is any indication, the new legislation would be much

ballyhooed in the press and would be presented as a panacea to help correct the perception that Pennsylvania is the puppy mill capital of the country. Yet, again, if history is any indication, as soon as the dust settles, the violators of the existing legislation will ignore the new legislation, the legitimate breeders will be the only ones driven out of the effort to breed quality dogs for the public or—worse yet—will be driven underground and become part of the dastardly puppy mill business.

In another scenario, as in Louisville, the proposed legislation, if approved, will be challenged in court and will be tied up for years as the Commonwealth spends tax money to try to defend what is essentially bad legislation.

We realize that the pressure to produce new legislation is great—especially since this issue is highly visible and Governor Rendell has come out in support of the changes. However, we hope you will try to find a graceful way to direct new funding into the enforcement of the existing law instead of creating an administrative and legal nightmare for all concerned. PETA will move on. But Pennsylvania and Pennsylvanians will have to live with or fight against whatever comes out of this effort.

Sincerely

A handwritten signature in cursive script that reads "Francis J. Calverase".

Francis J Calverase
President, CAKC

cc

Senator Terry Punt
Representative Rob Kauffman