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2/15/07 Subject: Breeders + Dogs = Cruelty

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

INDEPENDENT REGULATORY
REVIEW COMMISSION

ON COPY

Governor Edward G. Rendell's Office
225 Main Capitol Building
Harrisburg, Pennsylvania 17120

Pennsylvania Commission on Crime and Delinquency
P.O. Box 1167
Harrisburg, PA 17108-1167

HSUS
2100 L Street, NW
Washington, DC 20037

Dear Community Leaders,

From what I understand, Pennsylvania is considering some significant and much-needed amendments to its current canine breeding laws. Please do what you can to help these become codified into law as soon as possible. Currently, your state serves as a mockery to those of us who do fastidious rescue work with dogs. Breeders, on the whole, are generally indolent, avaricious, and negligent and should not be treating dogs as merchandise, as is currently done.

The Department of Agriculture (Department), under section 902 of the Dog Law (act) (3 P. S. § 459-902), proposes to amend the Chapters 21, 23, 25 and 27. Section 902 of the act, charges the Secretary with the duty of promulgating "... rules and regulations to carry out the provisions and intent of this act." (3 P. S. § 459-902). The Department proposes to amend numerous sections of the current regulations to address changes in the industry, clarify provisions of the regulations which are vague or outdated and clarify enforcement powers and duties of the Department and the Secretary.

Section 21.1. Definitions.

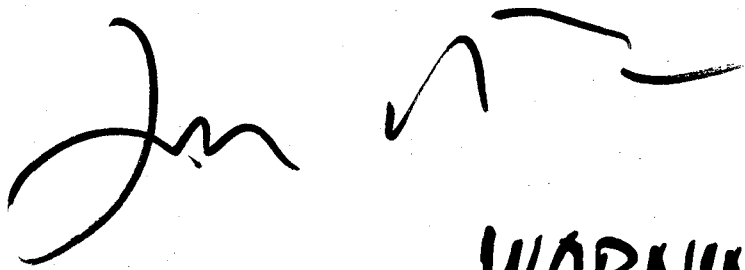
New definitions have been added to clarify the kennel requirements in section 206 of the act (3 P. S. § 459-206). Specifically, the regulations now define "establishment" and "temporary home." In addition, the definitions of "licensed veterinarian" and "sanitize" have been amended. The definitions were added or revised to provide clarification. The necessity for clarification is based on issues, comments and questions which have arisen with regard to the Department's interpretation of various provisions of the act and the current regulations over the past several years.

Section 21.4. Penalties.

Language has been added to the Article II of the act (3 P. S. §§ 459-200--459-219) penalty provisions (associated with kennel licensure) which is intended to clarify the Secretary's powers, duties and enforcement options related to the failure of a person to obtain a kennel license prior to operating a kennel, as required by section 207 of the act (3 P. S. § 459-207). Clarifying language was also added to the revocation, suspension and denial language of the regulations and the seizure provisions of the regulations, related to enforcement of section 211 of the act (3 P. S. § 459-211). Finally, clarifying language was added to the penalty provisions of the regulations associated with Article V and V-A of the act (3 P. S. §§ 459-501, 459.502, 459-501-A--459-507-A) This language is intended to establish the process to be followed during and after dangerous dog proceedings and clarify the timing and due process which must be afforded prior to confiscation or euthanization, or both, of a dangerous dog.

Thank you in advance for doing everything possible to protect animals and the community. The safety of your community depends on an equitable term being meted out to these repeat (pugnacious) offenders.

Sincerely,
Jason Williams
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WARNING
ANIMALS SUFFERED
TO MAKE THIS PRODUCT