

3/8/07

Mary Bender, Dept. Of Agriculture  
 Governor Rendell  
 Advisory Board Members  
 Agricultural Committee Members  
 All Interested Parties

INDEPENDENT REGULATORY  
 REVIEW COMMISSION

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My name is Lisa Kane, and I attended yesterday's meeting on the proposed changes to the dog law. <sup>3/16/07</sup>

As someone with a stake in these activities I'd like to express my thoughts not only on the proposals, but the manner in which this has been handled.

My background prepares me well to make suggestions. I've been involved with dogs my entire life. After graduating from Penn State I opened Trifecta Kennels, located in Gilbert, Pennsylvania. We are a full service boarding, grooming and training kennel. I'm also a golden retriever aficionado, and have an occasional litter. My golden, bred, born, and raised in Pennsylvania is the number one golden in field trials. She is incredibly famous. And I am an AKC field trial judge. Because of my multi faceted involvement with so many aspects of the dog world I travel. I have been in kennels of all sorts, from Canada to Florida, and from Pennsylvania to the West Coast. My background with dogs is diverse and I hope the reader understands that I'm both knowledgeable and credible. Testimony yesterday demonstrated that the "people in the trenches", those directly affected by these proposals were not included in the process. I personally was not aware of this legislation until the middle of February. And only learned of them via an email from the president of a local

retriever club. My livelihood will be impacted by decisions made regarding this legislation, and I'm not informed.

There seems to have been a deliberate effort to keep us (boarding kennel operators) in the dark, and an effort to stack the deck regarding who was invited to participate in the advisory board. It was gratifying to hear several legislatures question this topic, and put it on the record.

As a boarding kennel owner, it was particularly frustrating to attend the meeting yesterday. First of all, NOT ONE SINGLE person spoke for any length of time, of the boarding kennel response to these proposals. We had no designated voice. I think this was a genuine oversight. The committee seemed interested in all of our rights.

The boarding kennel owners were ambushed by these proposals. Many of the boarding kennel owners still do not believe the legislation would affect them. At yesterday's meeting there was one boarding kennel from Monroe county present, mine. One out of at least 15. My peers when I contacted them, repeatedly responded that this legislation affected the so called "puppy mills". I apologize for this vocabulary, but that's what's said. To add to my frustration I repeatedly heard the term, large commercial breeding kennel used in connection with these proposals. And, officials from the department of agriculture, while defining the housing proposals specifically said...these animals spend much of their lives in cages, with minimal enrichment or stimulation, and thus the exercise requirements outlined would help them. My boarding dogs do not spend their lives at my facility. They are there for a temporary stay. And they are not caged. The department of agriculture also spoke about the outdoor requirements

for kennels, and they said something to the affect...this legislation was an effort to improve the lives of kennel dogs...dogs who spend their lives in kennels. Again, boarding dogs are at boarding kennels for the briefest of time. Perhaps half a day, perhaps a week. Perhaps two weeks. They most definately do NOT LIVE THERE. Having to endure the preaching of the ASPCA representatives was particularly difficult for me. The opening sentence of ... The most responsible forms of dog breeding is the goal and direction of these proposals, or something to that affect. They specified...DOGS BRED AND RAISED IN COMMERCIAL KENNELS were the targets of this legislation. They went on to articulate that this legislation was intended for, not only puppies from the commercial industry, but also the adult dogs who live out their "entire lives in horrendous conditions at commercial breeding kennels". In the very same sentences, though they said, boarding kennels, and day care facilities would not be exempt from the proposals. Why not, I ask. My boarding dogs do not meet the criteria so emotionally described. It has been repeatedly declared that the purpose of this legislation was to improve the quality of life for dogs kept in commercial breeding kennels. The record clearly reflects this. Why then are boarding kennels thrown into the mix? Subjecting boarding kennels to the stresses of this legislation is like going to a cardiologist, when you should be seeing a dentist. Our expertise is that far apart. I wish to thank all of the legislatures who attended yesterday's meeting. It was along day, and you all were attentive and courteous. I am also encouraged at the level of interest and the types of questions asked. Ms. Bender

asked for specific input, more specific, than the letters received to date. Enclosed please find my thoughts and suggestions regarding the actual proposals for your consideration.

Very truly yours,

Thoughts on changes to current dog law:

Kennel owners who are licensed should be advised in a timely matter of any proposals that may affect them.

Let's stop welcoming the rescue dogs from other states.

The sheer numbers place burdens on every part of the dog system. From illnesses that they bring to our community, to using resources intended for dogs from our commonwealth, these dogs are an issue. We have enough dogs within our shelters that need help. This will help on all levels.

With regard to kennel types: Do we need to separate boarding kennels from commercial breeding kennels? And do we need to separate the hobby breeder, or the individual who breeds a couple of litters per year from the bigger commercial operations?

And who decides what kennels or types of kennels are exempt? Whatever the process is for exemption-that criteria should apply fairly to similar scenarios. For example: The current proposals state that the doubling of cage sizes in all kennels will be required, with the exception of approved humane societies. Humane societies to be exempt because they provide only temporary shelter. Boarding kennels and day care facilities surely fall under the temporary shelter exemption. They should also be exempt. Also, boarding kennels are a for profit business. Customers may request specific services, such as walks, field runs, etc. Free enterprise dictates how well that boarding kennel will do. If the boarding kennel has a good reputation and provides the contracted services their business will thrive. Paying customers will not seek or use

a boarding kennel that does not treat their companion pets with the highest regard.

Hobby breeders, or the people who have a litter or 2 or 3 a year. Is it even reasonable to expect these people to structurally change their homes, and will the zoning in their townships allow such changes?

Under the current proposals, pet stores, the places that sell the very puppies these proposals were intended to protect are exempt from the legislation. This is astonishing, unbelievable, and upon closer review should be unacceptable. See section 21.23.space, number 1 and 3. Private Sector, page 7 of 18. The estimates to update existing licensed kennels, \$5-\$20,000 thousand is in my opinion very low. I've just updated fencing, for a fee of \$13thousand dollars, for 14 inside enclosures. The indoor parts of my indoor- outdoor boarding kennel are 4ft by 4ft, and I'm not sure these new enclosures would meet the new requirements. Whatever the cost were to be to bring existing kennels into compliance, the suggested amounts are low. And burdensome.

Record Keeping- the new proposals would require minimally 6 forms per dog, that would be 360 such notations for a 60 dog boarding kennel and I believe that's only part of the record keeping requirements.

Instead of me continuing to list all of the problems with these proposals, let me offer solutions;

Enforce the existing dog laws. They are there. Use them.

These laws already have the combined strength of the Attorney General, the Department of Agriculture, and the existing Pennsylvania Lemon law.

Rather than struggling with legislating an area that's been well legislated I say again back up the written statues. As a former supervisor of the unit that investigated allegations of child abuse, I know the importance of building a good strong case, and I know how to build one. Do our wardens need more education? Do our magistrates need more education? Since cooperation among all aspects of the law enforcement process are needed, is there a multi disciplinary approach that can be taken to help ensure the existing laws work most affectively?

I've been in the most up to date, new kennels, and I've been in older kennels. An experienced dog person can tell at a glance how the animals in these kennels are treated. New kennels do not always mean the best of care and older kennels do not equate with inferior care. The rules of common sense and keep it simple may apply. A clean, comfortable kennel is obvious. A dirty, substandard one is also obvious. Do we really need the special devices listed in the new proposals to evaluate lighting conditions, or airflow conditions?

And lastly, I suspect that the number of bad apples within our industry is small. The reaction from the department seems like overkill for circumstances that do not represent the majority of us. I believe, as do many that testified yesterday, that conditions indeed have improved within the pet industry in the past 15 years. And none of us want those bad apples to stay in business.

I say again, enforce the existing legislation.

Very truly yours,

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