



Written Testimony to Pennsylvania Joint Judiciary Committee on Dog Law Issues

October 20, 2020

The Pennsylvania Federation of Dog Clubs welcomes the opportunity to address the Joint Judiciary Committees of the Pennsylvania Legislature on issues surrounding the Dog Law. The PFDC represents over 80 canine organizations across the Commonwealth including all-breed kennel clubs, individual breed specialty clubs, dog training groups and rescues.

One of the major issues before you today is SB44 (Victoria's Bill). The reporting provisions of the Bill are acceptable to us; however, in our opinion, it should apply to commercial kennels and rescues/shelters alike. We oppose the restrictions on sourcing of pets by brick-and-mortar stores for the following reasons:

- There are only about 3 dozen such stores selling dogs in the Commonwealth today. This Bill is analogous to killing a fly with a sledgehammer.
- Commercial kennels in the Commonwealth are now highly regulated and inspected since the passage of statutory and regulatory reforms in 2008-2010. The sources that would replace these kennels under this proposal are conversely unregulated.
- Many substandard commercial kennels operating illegally in the Commonwealth have rebranded themselves fraudulently as rescues. They care little about deceiving consumers and will happily accept "adoption fees" and/or "rehoming fees" in place of sales receipts. There is real evidence of this in other states such as California that have already adopted Laws similar to SB44.
- We generally believe consumer protection Laws like our own Dog Purchaser Protection Act are a much better, market driven approach to quality issues.
- We strongly back legislation to increase funding to the Bureau of Dog Law Enforcement to improve enforcement of the 2008-2010 reforms and to find substandard commercial kennels operating illegally.

House Bill 1504 and SB663 have our support despite some significant impacts to our constituents.

- We believe it is vital to keep the Bureau of Dog Law Enforcement operating efficiently in the Department of Agriculture by providing adequate funding.
- We have reservations about lowering the threshold for licensing to 8 weeks of age and would like to see that revised to 10 weeks at the very least.
- We have long advocated for the removal of the price difference of licenses for altered versus unaltered dogs and welcome that change in these Bills. The spaying/neutering of an individual pet is an issue best left between the owner and their veterinarian.
- We would also support similar increases in cost for kennel licenses since most of the revenue generated goes to their oversight.

We strongly support SB302 to reform the Dog Purchaser Protection Act (aka puppy lemon law). We have worked with every Attorney General's office since the Law was passed to improve some of the time frames included in it. We believe this form of consumer protection is the best way to address quality issues in the puppies produced in the Commonwealth.

We find preamble language in SB44, HR82 and HR654 to be lacking a scientific basis and therefore inappropriate for Bills and Resolutions to be considered by the Legislature.

We support SB1267 to create an Animal Welfare Task Force in principle, but it certainly needs amendments to add representation for responsible dog owners. All stakeholders need to be represented when the proposals are considered. We appreciate the need to give careful consideration to the fiscal impact of these proposals on the Bureau of Dog Law Enforcement given their current financial constraints.

We would like to see major reforms to the Animal Seizure Law (HB82 of 2013) in light of recent US Supreme Court rulings regarding Civil Asset Forfeiture Laws nationally. At the time of its passage, we argued that the Law allows for the seizing of property before the accused has had their day in court. Animals that are turned over as a result of this Law cannot be recovered if the case is later thrown out or the accused is found Not Guilty. In far too many cases, these animals are "sold" and/or "rehomed" prior to any formal verdict. If the accused is found not guilty, their animals have already been dispersed with no chance of recovery. Since the SCOTUS has decided that similar provisions of Asset Forfeiture Laws of other states are unconstitutional, we call on the Legislature to revisit this aspect of Pennsylvania's Animal Seizure Law.

The Outdoor Enclosure Bills HB2104 and SB551 are one-size-fits-all proposals that we have opposed every time they are introduced. We believe the Commonwealth has solid animal cruelty Laws in place that address the conditions in which animals are confined (heat, cold, shade, potable water, adequate food, veterinary care, etc.). The method of confinement (i.e. engineering standards) should not be the issue. In short, different breeds of dogs cannot be reasonably subjected to a "one size fits all" standard.

Again, the Pennsylvania Federation of Dog Clubs, its member organizations and the thousands responsible dog owners therein are grateful for the opportunity to address these issues before the Committees and make ourselves available at your convenience to answer any questions or address any of the issues raised.

Sincerely,

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