

My name is Jan Breitenfeldt

My husband Todd, daughter Skye and I are registered voters and responsible dog owners and breeders. We show dogs, bird hunt, do hunt tests, and field trials and try to educate the public on responsible dog ownership. Before I talk about why I oppose SB221 I would like to ask you why are current laws ineffective or not enforced?? There are currently over 400 nearly identical bills in over 35 states on this and similar issues. Why do we suddenly need so much legislation over these issues?

One of the reasons we oppose SB221 is that this bill is poorly written. The lower limit for hoarding is only 10 companion animals in any combination. Number limits don't address the underlying issues of responsible ownership and proper care. If animals are properly cared for it should NOT matter how many they have.

Also, with this bill, there are huge Civil Rights issues and the animal rights activists could easily interpret this bill to include hobby breeders. If you will note there is nothing in this bill that excludes hobby breeders. It excludes "breeding facilities" but our homes are not breeding facilities. The Constitution guarantees that individuals may possess and feel secure in their homes and property; that they may make important decisions regarding their property. This legislative proposal would give unconstitutional warrant-less search and seizure authority to nongovernmental employees/private citizens to enter homes and businesses and seize property. This far exceeds the legal discretion that law enforcement now has or should have. Concern for abuse of this provision is not an overreaction when we consider just how many raids animal rights groups (masquerading as animal welfare groups) have been involved in across the country wherein entire breeding operations were shut down, dogs and other property confiscated, and yet the owners/breeders were, in the end, fully exonerated. Still, many of these breeders had their entire breeding stock wiped out due to specious allegations since dogs seized in a raid can, and have been, put down. So, to say that opposition to such a vague provision won't lead to abuses is to ignore current reality for many breeders.

Next this bill says that quote " shall require the defendant to pay all reasonable costs incurred in providing necessary veterinary attention and treatment for any animal affected, including reasonable costs of care incurred by a public or private animal control agency or humane animal treatment shelter;"

**This is punitive and it PRESUMES GUILT. If a person is unjustly accused and found not guilty who pays the bill?? What recourse does this person have if his/her dogs are already neutered, put down or re-homed?? Are these people reimbursed or will they have to file suit against the people or agencies involved in stealing and damaging their dogs? Since when did the animal police's powers supersede the child police's, the drug police's or the gun police's.**

Another quote "A person convicted of a second or subsequent offense of cruelty to animals, A FIRST OR SUBSEQUENT OFFENSE OF COMPANION ANIMAL HOARDING or of a first or subsequent offense of aggravated animal cruelty shall be fined an amount not to exceed \$2,500 or be sentenced to the department of corrections for a term not to exceed 2 years, or both."

**This places hoarding (which for the most part is unintentionally cruel) as worse than cruelty, which is intentional. When this wording is combined with numbers, this is a back door for animal right activists to target breeders.**

**Other parts of the bill are quite vague.**

"(C) confining the animals in a severely overcrowded environment; and."

**No definition of "severe" or "overcrowded".**

"(b) carrying or confining the animal in a cruel manner;"

**Again, no definition. Some people believe putting an animal in a crate is cruel.**

. (ii) minimum protection for the animal from adverse weather conditions, with consideration given to the species;

**No consideration is given to the breed. Requirements for a Samoyed in 20 below weather are much different than a Chihuahua etc.**

e) promoting, sponsoring, conducting, or participating in an animal race of more than 2 miles, except a **sanctioned** endurance race;

Sanctioned by whom?? If animals are to participate in a race they also have to train for it.

**In conclusion, this bill will do nothing to improve the welfare of animals but will cause many undesirable unintended consequences. If we truly hope to improve the health and welfare of Montana's pets we should look to the laws already on our books. Doing so would help demonstrate that poor enforcement of existing animal laws dogs is far more to blame than lack of legislation.**

A direct quote from one of these anti-animal groups:

Wayne Pacelle, CEO, Humane Society of the United States (HSUS):

"One generation and out. We have no problems with the EXTINCTION of domestic animals. They are creations of human selective breeding."

and, further,

"A major goal of the animal rights agenda is to ELIMINATE PET OWNERSHIP in the U.S. by the year 2050", according to a speaker at the 2004 Animal Law Institute Conference held in San Antonio, Texas.

David Favre, J.D. stated that the first step towards accomplishing the animal rights goal is to change the legal status of animal owners, by changing the word "owner" to "guardian" in state laws and local ordinances. Then, "establish the banning of certain breeds, which we intend to later escalate to ALL breeds; make it so difficult for the hobby breeder to comply with laws that they will surrender, and lastly, push the sterilization of babies so the species will eventually become extinct. It will be "incremental elimination" of human ownership of domestic animals, and extinction of the canine and feline species.

HSUS and PETA are the two largest, most well-known groups, also pushing veganism. HSUS, by the way, has NOTHING AT ALL to do with any local humane shelters ANYWHERE.