



A Non-partisan, Volunteer Effort to Inform The Voting Public and Their Representatives in Government

February 21, 2013

Representative Lee Randall, Chair
House Agriculture Committee
PO Box 201201
Helena, MT 59601

Re: OPPOSITION to HB439 Commercial Pet Protection Act

Dear Representative Randall and members of the Agriculture Committee:

The Sportsmen's & Animal Owners' Voting Alliance representing responsible animal owners, sportsmen, and dog breeders in Montana and nationwide is opposed to HB439 as written.

HB439 is another version of legislation that attempts to define and regulate commercial breeders. Generally these bills are based on some emotional assumption that anyone owning a moderate number of intact females keeps them in poor, unsanitary conditions where they are used for the mass-production and sale of puppies. The arbitrary threshold number of 11 intact females is unacceptable and we believe proposed regulations will do more harm to the responsible breeders than they will to protect the welfare of dogs. Conscientious hobby breeders, owners, sportsmen, and dog trainers will be caught up in this definition of commercial breeder as businesses although they are not.

HB439 is part of a nationwide campaign to place dog breeding under government regulation and restriction with which the average home-based breeder cannot comply.

The bill requires licensure and inspection of kennels for simply owning intact animals even if breeding and sales are occasional. Other troubling provisions include:

Section 4. In developing the rules, the department .. shall consider any model animal care standards approved by the American veterinary medical association. To my knowledge, the model drafted by AVMA in 2010 has not met with widespread praise among industry leaders. Neither are we aware of any state that has implemented the model in part or in whole into law. The model's threshold for regulation is a set number of litters whelped or sales of 50 or more dogs, meant to regulate animal shelters and "high volume breeder/sellers". Although several provisions are somewhat standard, AVMA draws on protocols used for research animals for the general housing and husbandry standards. Additionally, AVMA wanders into uncharted areas with requirements for facilities to have written plans and documentation on behavior, visual enrichment, socialization, and locomotion.

Section 4. (4) Standards for the breeding of dogs. This provision allows the state to interfere with dog breeding practices of the vast majority of dog breeders who already provide good care for their animals. Currently neither the state nor the federal government regulates breeding practices for domestic species; therefore, HB439 potentially sets a dangerous precedent giving the state control over the breeding of domestic animals.

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Section 5. Tiered approach to fees based on the number of dogs a person owns. This inadequately focuses on the number of dogs a person owns and not on the commercial aspect of selling large numbers of dogs

Responsible sportsmen and dog owners pour millions of dollars into the state's economy every year hunting, exhibiting, training, and breeding dogs. Their dogs could not perform, hunt, track, herd, search, or compete in shows and trials if they were not well taken care of.

With proper enforcement of local, state, and federal laws already in place to ensure the welfare of dogs, this bill is completely unnecessary and will only serve to punish responsible breeders.

We urge you to reject HB439.

Respectfully submitted,

Susan Wolf, President

Sportsmen's & Animal Owners' Voting Alliance (SAOVA)