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House of Representatives
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

MEMORANDUM

TO: All House Members

FROM: Representative James E. Casorio, *J.C.*

DATE: April 29, 2008

SUBJECT: Co-sponsorship of Legislation:
Dog Law Overhaul

Earlier this session, I introduced House Bill 445, which amended the Dog Law (Act 225 of 1982). This legislation encompassed Governor Rendell's original proposal to overhaul the Dog Law to address substandard conditions at some dog-breeding facilities in the Commonwealth, as well as other much-needed changes to the law. After its introduction, various stakeholders came forward to express their concern regarding certain aspects of the plan. As a result, the administration met extensively with these groups and revised the original proposal, which I will be introducing in the near future.

As you may know; Pennsylvania's current Dog Law does not adequately address the complex nature of the dog industry. The current law lumps pet shops, sporting, hobby, research, and rescue kennels into the same category as commercial kennels. In actuality, these are different types of operations with different goals and operational practices than commercial kennels. Consequently, the primary purpose of this legislation is to finally make a distinction between these different entities.

Specifically, this measure establishes a separate definition and accompanying standards for commercial kennels. By defining commercial kennels as "*any such facility that sells or transfers any dog to a dealer or pet shop OR sells or transfers more than 60 dogs per year,*" this proposal seeks to address longstanding concerns with the conditions of the dogs housed in these particular facilities. As current law is written, breeding dogs at commercial kennels could spend their entire lives housed in a cage the size of a dishwasher without ever getting the opportunity for exercise. Additional protections for the dogs raised in commercial kennels include, but are not limited to:

- primary enclosures must protect dogs from injury and inclement weather;
- no more than 6 dogs may be housed in each primary enclosure;
- dogs must receive clean water at all times;
- dogs must be removed from their primary enclosures during cleaning;
- housing facility temperatures must be maintained between 50-85 degrees;

- housing facilities must provide for sufficient ventilation and lighting, and must have smoke alarms and fire extinguishers; and
- dogs can only be euthanized by a veterinarian.

Moreover, all dogs over the age of 12 weeks housed in commercial kennels will receive even better conditions to include:

- significant space increases – doubling existing floor space for the first 2 dogs in an enclosure, and providing for 1.5 times the existing floor space for each additional dog thereafter;
- each primary enclosure must open up to an adjacent, outdoor exercise area, which must be at least twice the size of the accompanying primary enclosure;
- no stacking of primary enclosures; and
- dogs must be examined at least once a year or at each pregnancy by a veterinarian, and only a veterinarian can give rabies vaccinations.
- solid flooring instead of wire flooring, while allowing for a wire-floored bathroom area to address potential sanitation concerns.

Beyond the commercial kennel changes, this legislation also incorporates several other changes that are long overdue, including the following:

- Requiring non-commercial kennels to develop and follow a veterinarian-approved exercise plan, and be equipped with smoke alarms and fire extinguishers.
- Clarifying the authority of the Bureau of Dog Law Enforcement (BDLE) to enforce the law against unlicensed kennels in order to improve the lives of breeding dogs and puppies in the state, while still allowing the owners of the facilities due process.
- Implementing license fees via regulation, and provide for a license structure in which higher kennel fees can be implemented for larger volume kennels. Currently, license fees for operating a 251 and 5,000 dog kennel are the same.
- Allowing for county treasurers to sell vanity dog tags (1/2 revenue to state).
- Adding 8 members of the PA general public to the Advisory Board.
- Changes to the dangerous dog provisions of the act

Below, for your convenience, I have included a list of members who co-sponsored House Bill 445:
BENNINGTON, BUXTON, CALTAGIRONE, CAPPELLI, DeLUCA, DePASQUALE, FABRIZIO, FRANKEL, FREEMAN, GEORGE, GERGELY, GOODMAN, GRUCELA, KOTIK, MUNDY, O'NEILL, PALLONE, PARKER, PRESTON, RAYMOND, READSHAW, TANGRETTI, WALKO, J. WHITE, YOUNGBLOOD, W. KELLER, DALEY, McGEEHAN, SIPTROTH, K. SMITH and MENSCH.

As you may know, Pennsylvania has the unfortunate distinction of being one of the nation's leaders in the "puppy mill" industry. With recent efforts by talk show host Oprah Winfrey to showcase several examples of substandard living conditions in a few of Pennsylvania's breeding kennels, it is clear that we need to ensure that our laws allow us to adequately address these and other problems. I believe this language strikes a balance between ensuring we have the tools to improve living conditions for breeding dogs across the Commonwealth, while not adversely impacting those whose passions have them dedicating their lives to show dogs, sporting dogs and other similar efforts.

I ask that you please consider joining Governor Rendell and me in undertaking this endeavor to produce a comprehensive and compassionate law that aims to better the lives of dogs in the commercial kennel industry. If you would like a copy of this legislation, please contact my office. If you wish to co-sponsor this legislation, please contact Kim by the end of the day on May 12th at 783-3483 or kacri@pahouse.net.