

December 15, 2008

Dear Senator:

HB 446, a bill to overhaul the Ohio animal control law, faces its final committee hearings tomorrow, December 16 in the Senate State and Local Government and Veterans Affairs Committee. Ohio Valley Dog Owners Inc. has testified against the bill in the House and Senate hearings. We are asking that you vote against this bill if it gets to the Senate floor.



OVDOS supports reasonable laws to protect dogs, dog owners, and our neighbors, but HB 446 is not reasonable. Many of the changes in the 100-plus page bill burden law-abiding dog breeders and other owners with excessive cost increases for their dog-raising hobbies and businesses, increases that are likely to cripple or kill these operations.

Current law requires that those who breed dogs for sale or hunting pay a kennel license fee set by the county commissioners. In a county with a \$75 kennel license fee and a \$15 individual dog fee, HB 446 will raise the cost of a 10-dog hobby kennel to \$225 and a 50-dog commercial kennel to \$750. The sponsor of the bill is quoted in the *Columbus Dispatch* (December 10) as saying that this increase will help eliminate 'puppy mills,' a sneering accusation against the clean, well-run kennels of all types in our state. He apparently fails to recognize that the profiteers who run squalid kennels probably don't buy a license and that a huge increase in license fees could cause some breeders to divert money spent on their dogs and facilities to pay the new tax.

HB 446 also mandates rabies vaccination for dogs, cats, and ferrets and requires that vaccination be done by or under the supervision of a veterinarian. However, many dog breeders give their own vaccinations, a practice that is ended by the bill. If it passes the Senate in the same form that it left the House, the bill will require dog breeders to take all of their dogs to a veterinary clinic for vaccination or to pay a veterinarian for a kennel call – another unnecessary mandated cost increase, especially in hard economic times.

We have suggested two amendments that serve the goal to individually identify each dog in a kennel and to assure that dogs are immunized against rabies without huge tax and veterinary fee increases on law-abiding dog owners.

Our kennel license amendment would retain the five free tags allowed by ORC 955.04 and charge a nominal \$2 per additional dog. It would also require individual identification of the dog by age, sex, coat color, coat type, and breed or mix. This would raise the cost of a 10-dog hobby kennel to \$85 and the 50-dog commercial kennel to \$165 in the example used above

Our rabies vaccination amendment would allow kennel owners to receive training in giving rabies vaccinations much as farmers and others receive training and certification to use controlled pesticides.

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According to ORC 955.20 the county dog and kennel fund exists to pay for enforcement of dog control laws 955.01-955.261 and to pay animal claims under 955.29-955.38. It also provides for fee increases if the fund does not contain enough money to pay these expenses. Nowhere does it allow for massive fee hikes for other purposes, especially as a method of controlling which kennels stay in business and which ones fail.

Dog ownership and breeding are under pressure throughout the country as lawmakers and activists draft laws and policies designed to encourage or shame people into buying pets from shelters. These laws typically punish good breeders with high fees and breeding restrictions. The huge kennel fee increases and the rabies vaccination provisions in HB 446 put the bill in that anti-breeder category. The bill has had several hearings in the House and Senate. A quick look at the testimony shows that the vast majority of witnesses opposed all or part of the bill on their own behalf or on behalf of their members. We hope that almost universal opposition from stakeholders in this issue will lead you to vote 'no' if it reaches the Senate floor. Ohio's thousands of responsible breeders will thank you.

Sincerely,



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