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Capitolwire: Rendell, senators mostly agree on dog law overhaul.

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HARRISBURG (Sept. 24) – State senators and Gov. Ed Rendell have reached agreement on most aspects of legislation to crack down on inhumane commercial breeding practices, except for how soon new kennel requirements should go into effect.

Rendell favors a six-month effective date for standards calling on commercial kennels to double the typical cage sizes for dogs, replace wiring flooring with solid floors and provide dogs with outdoor recreational areas twice the size of their indoor cages.

But the state Senate Agriculture and Rural Affairs Committee on Wednesday approved an amendment to the bill giving commercial kennels one year to implement those and other new standards. A requirement that only veterinarians perform euthanasia in commercial kennels would still go into effect immediately.

Sen. Michael Brubaker, R-Lancaster, the committee chairman, said the kennels needed a full year to make structural changes, especially with the winter months ahead potentially delaying outdoor construction.

Brubaker also noted that a single vendor would likely have to provide the new cage flooring, which could hold up orders for kennels across the state.

Rendell spokesman Chuck Ardo said the governor “is pleased that some aspects of the law go into effect immediately, but does have some concerns that other aspects of the law are delayed.”

Ardo added: “It is not a deal-breaker. We have worked long and hard toward the passage of this legislation, and the passage is really the critical element here.”

The effective date change also concerned bill sponsor Rep. James Casorio, D-Westmoreland, who added that he would have to take a closer look at the amendments approved by the Senate committee.

“I believe it would be a major point of contention,” Casorio said. “Some of the other issues we would be able to give and take. ...”

“The dogs of Pennsylvania have waited long enough. The folks who run these mega puppy mills certainly have the resources.”

Casorio said that negotiations with the Senate would continue, and that he was encouraged by the Senate committee’s approval of the bill.

Nina Schaefer, president of the Pennsylvania Federation of Dog Clubs, which represents breeders, said her members were supportive of the compromise.

The amendment extending the effective date also included several other changes, including the creation of a board of seven veterinarians to determine floor, lighting, ventilation and other

standards, and a clarification that a search warrant may be issued only to search kennels, when operators fail to cooperate, and not other buildings or parts of the property.

In addition to that amendment, the Senate Agriculture and Rural Affairs Committee approved another amendment adding the definition of “veterinarian-client-patient relationship,” and requiring vet checks every six months, as opposed to annually. The amendment also permits kennel owners approved by the Department of Agriculture to administer rabies vaccinations, rather than limiting that to vets.

Among other technical changes, the amendment requires dog dealers to pay a fee to be licensed, and does away with a section of the law allowing a dog warden to carry a firearm.

Both amendments were approved unanimously by the committee.

Senators from both parties praised Brubaker and his staff for working around the clock to craft the changes to the bill, which was approved by the House of Representatives only a week ago, on Sept. 17.

Sen. Mike O’Pake, D-Berks, whose district is home to a commercial breeding kennel where the owners shot 80 dogs to avoid a state order that veterinarians examine them, said the compromise bill will produce “a humane law to protect animals that we can all be proud of.”

That shooting of 80 dogs, which is legal under current law, outraged animal activists and other Pennsylvanians earlier this summer, and galvanized lawmaker support for Casorio’s bill. It would prohibit anyone but a veterinarian from euthanizing dogs in commercial kennels.

Sen. Mike Waugh, R-York, who grew up on a farm, asked if the prohibition on non-veterinarian euthanasia applied to individual dog owners. He noted that dogs and other animals can be in extreme pain as a result of an accident or illness, and that owners need to have the ability to take quick action to end the animal’s suffering.

Brubaker said the bill only put those strictures on commercial kennels.

The committee approved the bill by a vote of 10-1, with Sen. John Eichelberger, R-Blair, casting the only no vote. The bill must be reviewed by the Senate Appropriations Committee before getting a floor vote.

The bill, for the first time, defines commercial kennels in state law and sets standards for them to follow. It would impact 650 of the state’s 2,750 licensed kennels, since boarding kennels, private sporting kennels, pet stores and rescue shelters are not included.

The bill defines commercial kennels as places where dogs are bred and are sold or transferred to a dealer or pet shop, or where 60 or more dogs are sold or transferred in a calendar year.

The House approved the bill 181-17, two days after the chamber rejected, by healthy margins, a slew of amendments to loosen the standards in the bill. Many of those amendments were favored by kennel operators and a state veterinarians’ group.

The bill would also put into place new standards for temperature controls, lighting and ventilation, and the stacking of cages would be prohibited.

The bill authorizes civil penalties of up to \$1,000 a day for violations.

