



# Dog Federation of Wisconsin

Promoting and Protecting Responsible Dog Ownership

## Dog Federation of Wisconsin Position Statement on AB-567 and SB-308

The Dog Federation of Wisconsin, Inc. “DFOW” strongly opposes AB-567 and SB-308 including their amendments, which are objectionable on a number of counts.

**First**, the DFOV is concerned about the welfare of dogs being used for breeding purposes. However, information that is consistent with proper animal husbandry practices for breeding and/or whelping dogs are being reported in the media as being cruel and the cause of abuse and mistreatment.

Mistreatment, and animal abuse are already covered by municipal and state statutes and regulating breeders will not stop that type of treatment.

**Second**, the DFOV opposes the “puppy lemon law” which should not be bundled together with a bill to regulate commercial breeding facilities. This lemon law holds breeders of any background (including the general public) responsible for the genetic make-up of a dog. One would have to assume that breeders and the general public can manipulate DNA in order to fix congenital and hereditary deficiencies. As everyone knows, medical science has not evolved to a point where the DNA can be manipulated to resolve these issues.

Anyone owning a female dog could, realistically, end up with an accidental litter of puppies. The resulting litter has the possibility of having a devastating financial impact on the average family. For example, the approx. 6 puppies (depending on the size of the dog) that were the result of this breeding could potentially each have a genetic or inherited defect. For example: heart murmur, cleft palate, cherry eye, deaf or a myriad of other inherited/genetic issues. Each puppy would have a dollar value assigned to it, because each of these will have veterinary expenses attached to it.

The general public will not realize that they need to pass along certain documents in order to protect themselves from “the lemon law”. They (the general public) never intended to breed their dog; however, the dog had other ideas. Never the less the general public will be the unintended victims of this legislation.

Legislation should not be used in place of common sense. If you are told that it is unwise to purchase a dog from someone that doesn't offer a return policy or health warranty on a puppy and you do it, you have used your freedom of choice. When you legislate common sense you give up freedom of choice.

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**Third**, the DFWO opposes low numerical limits as a means of who should be regulated. Large breed dogs produce many more puppies than small breed dogs and just by the very nature of a low number threshold those breeders would be subjected to licensing and loss of their 4<sup>th</sup> amendment rights, because they breed the dogs in a home environment. One large breed dog (for example a Golden Retriever or a Labrador Retriever) can have 10 to 12 puppies in a litter. A small dog (for example a King Charles Spaniel) can have 3-4 in a litter. When using low numerical limits (for example 25) someone breeding 3 litters of a large breed dog will be subject to inspection (because they would end up with a possibility of 36 puppies), yet they are a popular breed and people want home-raised puppies.

This same person may also place dogs that they produced but, for whatever reason, the new owners couldn't keep. With popular breeds you will end up with more placements of dogs than not so popular small breed dogs.

Low threshold numbers would most certainly cause inspections of a private residence. This intrusion under the guise of inspection means that an individual's personal life is no longer private. Their home is being invaded by a branch of the government, at any time, unannounced. What purpose does it serve to find that a person leaves their socks next to the couch and that their dogs have un-fluffed the couch cushions? The only reason to inspect a residence because you are breeding a dog, is to deprive that individual of their 4<sup>th</sup> amendment rights "*The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated;*"

A home is not a commercial facility which is open to the public. You must be invited into a home because it is protected by the constitution. Under this legislation when you license a person for breeding a dog, that individual will lose their 4<sup>th</sup> amendment right and their personal life is no longer private. The dogs in question are still the property of that owner and the offspring that results are the property of that owner as well.

**Fourth**, the DFWO objects to the amendment to exclude humane societies and rescues from this legislation. The rescues and shelters under the guise of humanitarian re-homing efforts have been known to purchase dogs at auction and bring up dog from kennels/shelters outside the state to sell in the State of Wisconsin. Shelters and rescues use statements such as "pet overpopulation" and "a substantial increase in the number of commercial breeding facilities" as a reason to institute regulation of breeders. However, if we have this overpopulation why do they feel the need to bring in dogs of questionable characteristics and backgrounds from other states and then want us to validate their actions by exempting them from the lemon law. Technically they are operating as a pet shop purchasing at wholesale.

This would tend to make one think that perhaps humane societies are looking to eliminate competition for homes for the dogs they have to sell by eliminating the competition (breeders).

Here is an interesting article link that speaks on how this country doesn't have an overpopulation of dogs, but rather has a serious shortage.

<http://enews.tufts.edu/stories/020603FillingEmptyPounds.htm>

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Additional articles of interest

Shifting Dogs....and perspectives

[http://www.naiaonline.org/articles/archives/shifting\\_dogs.htm](http://www.naiaonline.org/articles/archives/shifting_dogs.htm)

Shelters Importing puppies from other states

<http://lists.envirolink.org/pipermail/ar-news/Week-of-Mon-20040223/019975.html>

Redefining Pet Overpopulation: The No-Kill Movement and the New Jet Setters

<http://www.naiaonline.org/articles/archives/redefining.htm>

More Cities Importing Pound Puppies

[http://www.usatoday.com/news/nation/2003-01-30-dogs-usat\\_x.htm](http://www.usatoday.com/news/nation/2003-01-30-dogs-usat_x.htm)

The Myth of Over-Population in regard to Shelter Animals

<http://www.ncraoa.com/articles/canine/OverPopulationMyth.html>

In Summary:

The DFOW understands and supports appropriate animal husbandry practices when breeding and raising dogs. The DFOW does not support a lemon law, as it pertains to living creatures, where genetics causes excessive penalties for something outside the control of an individual. The DFOW does not support low numerical limits as a means of whom should be regulated, because the nature of this issue will cause inspection of home residences; thereby, taking away an individuals 4<sup>th</sup> amendment rights. Lastly, Humane Societies and/or rescues should not be exempt from the lemon law, because they are in fact operating as pet stores by bringing in dogs from other countries and states for sale in Wisconsin.

Contact Information:

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