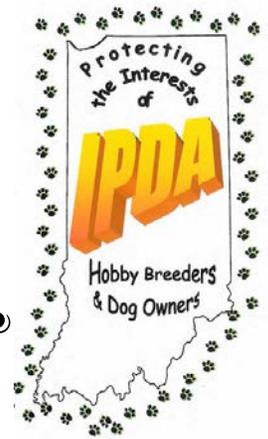

INDIANA PUREBRED DOG ALLIANCE, INC.



Newsletter - Summer 2014

The Indiana Purebred Dog Alliance (IPDA) was created on February 21, 2009 to protect the interest of hobby breeders, pet owners and exhibitors in Indiana. We formed for the long-term to continue defending our rights against legislation on all levels of government that could endanger our sport and the ownership of purebred dogs. Because of our efforts, the AKC recognized IPDA as a Federation Club. In partnership with the AKC, our efforts have been very successful. There are some challenges at the state, federal and local levels that prove again the need for Indiana purebred hobby breeders, dog owners and exhibitors to ban together. We are considered the voice of reason to our Indiana Legislators and stand ready to work hand-in-hand with them in resolving legislative issues that impact the dog fancy.

2014 Legislative Update

On the Federal Level:

ANIMAL AND PLANT HEALTH INSPECTION SERVICE (APHIS) RETAIL PET STORE RULE

A question breeders need to understand is why APHIS went about this rule making. In 1966,

Congress passed the AWA. The intent of this law was to insure the humane treatment of animals. That was Congress' intent. So, the language and intent of the AWA govern the writing of the regulations. The original regulations were aimed at large scale breeders that sell to brokers or pet stores. The right to regulate has previously been challenged in court with the result that the court re-asserted that APHIS has the right to interpret in writing regulations. In the past, large scale commercial breeders sold primarily to pet stores, but that is not true for many today. Many large scale breeders that were formerly licensed because they sold to pet stores saw the opportunity to market directly to the public and so were exempt from regulation because they were classified as retail pet stores, another term for sellers who sell directly to the public. So under pressure from the Executive Branch, USDA via APHIS was instructed to address Internet selling due to health complaints. The intent was to deal with large scale unregulated breeders selling sight unseen to the public. However, APHIS has to operate under the law (the AWA) and the constraints of the law. If you read all 91 pages related to the rules that went into effect on November 18, 2013, you will begin to see the complexity of writing regulations to follow the intent of the law and yet not regulate the non-commercial hobbyist. This is why things are not as crystal clear as some would like. Bottom

line, we are not the target of the regulations. AKC and hobby breeders also have little basis to request an injunction to delay implementation of the regulations. Is everything entirely clear? No. But, we are fortunate to have the NAIA and the AKC working diligently to see that our interests are conveyed to APHIS. Because APHIS has traditionally worked with large scale commercial breeders, they are just learning to understand how we in the hobby breeder community do things and they are making clearer that we are not the target. Breeders should try to understand that the major issue is primarily how you sell any pets. If you sell most of your pets sight unseen, and have more than 4 intact girls, you have to be licensed. If you have 4 or less intact girls, you do not have to be licensed.

Litigation is afoot from a group of dog organizations, spearheaded by attorney Frank Losey, that want to challenge the rule. The AKC has taken a different stand and is against litigation. The AKC made an independent evaluation not to pursue litigation to challenge the rule based on procedural or substantive grounds. Instead, AKC will continue to be proactively involved in the process to implement the rule, preserving all of its options going forward.



On the State Level:

Below is a list of bills presented in 2014 to the Indiana General Assembly:

SB 4 – Wild Animals on Airport Runways. Signed by Governor on 3/27/14.

SB 6 – Animal Fighting Contests. Assigned to Corrections & Criminal Law Committee – no action.

SB 230 – Wild Animal Permits. Assigned to Agricultural and Natural Resources Committee – no action.

SB 295 – Commercial Dog Breeder Regulation – this is the bill that would regulate Rescue Organizations. Assigned to Agricultural and Natural Resources Committee – no action.

SB 361 – Dog Training and Game Breeder Enclosures. Assigned to Agricultural and Natural Resources Committee – no action.

SB 421 – Professional Licensing Matters – passed by Commerce Committee – signed by Governor on 3/25/14.

HB 1013 – Release of Animal Veterinary Records. Signed by Governor on 3/13/14.

HB 1090 – Wild Animal Permits - no action.

HB 1199 – Release of Feral Cats. Linda Lawson was added as co-author. Signed by Governor on 3/26/14.

HB 1257 – Animal Neglect and Abandonment – Linda Lawson’s bill – no action.

HB 1400 – Companion Animal Sterilization Program – Linda Lawson’s bill for Medicaid recipients - no action.



On the Local Level:

South Bend Common Council:

Continued from 2013, Valerie Schey from the South Bend Common Council asked the AKC Legislative Department for input on breed specific discriminatory laws. The AKC asked IPDA to also give input and offer assistance. At a meeting in June 2013, the Common Council discussed the unconstitutionality of South Bend’s Dangerous Dog Law as it is written. We are hopeful that the Common Council will take the AKC’s and IPDA’s suggestions and amend the dangerous dog law language in the near future. Of late, we learned that the Common Council is looking at the St.

Joseph County Fairgrounds, where Michiana hosts their cluster. It is inside the city limits and Animal Control says that they do indeed oversee ALL "animal events" at the fairgrounds.

Marion, IN Animal Care Ordinance, Requiring the Sterilization of Dogs and Cats and Requiring a Breeder's Permit

A letter was written to the Marion, IN Common Council opposing this ordinance. Among other things that IPDA agrees to being good practice, we opposed the requirement of an annual Breeder Permit and accompanying fee of \$50 per year. The Common Council did not take our ideas into account and passed the ordinance including the breeder permit requirements.

Kokomo Proposed Ordinance

Many of the changes to the current ordinance involve stipulations for owners of "potentially dangerous dogs." The new ordinance would require owners of such animals to obtain and maintain insurance in the minimum amount of \$50,000 against liability for damage the dog causes to property or a person.

The ordinance includes regulations on how animals should be cared for and the length of a tether they may be kept on. There is a series of fines ranging from \$250 to \$1,500 that can be imposed on the owner depending on the type of infraction and whether it's a repeated offense. The council plans to discuss the enforcement of current laws. They proposed exceptions to the requirement for breeders.

IPDA Membership Dues

You are invited to join IPDA. If you are a responsible hobby breeder and want to join us in our efforts to protect your rights to continue owning, breeding and exhibiting in the sport of purebred dogs, please join us. Memberships are on three levels:

Individual, Family and Club. A membership application can be found at <http://inpurebreddogalliance.org> under Membership.

To renew your IPDA membership, complete a membership application form and mail it to the address indicated. If you prefer to use PayPal, go to the above website and click on Membership.

IPDA Annual Meeting

We hold an annual meeting in the fall of each year. The date and time of the 2014 annual meeting will be forthcoming.

IPDA Officers & Board Members

President: Carole Creech
Vice President: Gwen Chaney
Secretary: Donna Walle
Treasurer: Earl Chaney, Jr.
Board: Karen Clugston, Mike Kennedy, Linda Lee, Patty Sample

Website: <http://inpurebreddogalliance.org>

Email: inpurebreddogs@yahoo.com

