

Ohio Association of Animal Owners
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October 9, 2007

To: Members of the House State Government & Elections Committee & Sponsors of
Substitute House Bill 223

Dear Representative:

On July 10 of this year, Norma Woolf (of Ohio Valley Dog Owners) and I met with
Senator Cates to discuss the Senate version (SB173) of this bill.

As discussed during our meeting, OAAO has reviewed the animal care provisions of the bill to see whether they might already be addressed under existing law; and it appears that all of the animal care provisions in the bill are already covered in ORC Section 959.13, Section 959.131 and/or Section 1717.01. This would indicate to us that, if the intent of the bill is to help ensure the welfare of dogs and puppies, that objective would be better served under the existing statutes, which would alleviate the need for any state or private agency or board to conduct inspections and otherwise regulate dog kennels as outlined in this bill. It would also alleviate the need for the excessive licensing fees as outlined in the bill. Since the individual counties already have the authority to inspect licensed kennels, and from what we understand, most of them are conducting inspections, we see no need to duplicate their efforts or replace them with a state-operated system as outlined in this bill.

Holmes County has one of the largest (if not the largest) number of licensed kennels in Ohio, and they conduct regular inspections of all of them. Since Ohio law already gives the counties the authority to conduct inspections and we know for a fact that many of them are doing so, it would appear that HB223 is redundant in that it duplicates a system that is already in place, is operational, and is working. To put it simply, "if it's not broken, don't fix it". We recognize that in the view of animal "rights" proponents and

those who insist on labeling every commercial kennel as a "puppy mill", no system that allows the breeding and sale of puppies will ever be good enough; House Bill 223 won't even be good enough, and if it passes, they'll be back next year or the year after with yet another bill designed to put commercial kennels out of business. Our organization and others worked for almost ten years to update Ohio's animal welfare statutes, and it was finally accomplished by Senate Bill 221 which took effect April of 2003; and the statutes no sooner took effect than the animal rights organizations came back with yet another bill (HB22 and more recently, HB71) to amend the same statutes. We mention that only to illustrate the point that certain factions will never be satisfied with a system that allows private enterprise to flourish.

Our organization meets twice a year and votes on the position our membership wishes to take on proposed legislation. It is the position of our membership that we oppose HB223. While we understand that there may be some amendments to the bill, we oppose legislation that is duplicative of existing legislation and/or that places excessive financial burdens and other restrictions on any segment of the animal industry. Our policy states:

Animals are personal property; and we oppose legislation that restricts the private ownership or use of animals, or that inhibits free trade of any animal provided it meets Ohio Department of Agriculture testing and import requirements.

I am attaching our comparison of the animal care provisions in HB223 and how they are already addressed in existing Ohio Revised Code.

If the sponsors of HB223 feel that provisions such as sanitation and grooming (which are not specifically spelled out in current law but fall under Section 1717.01) should be specifically spelled out, it would be our recommendation that it be accomplished through a simple revision of ORC Section 959.131, rather than a cumbersome piece of legislation like HB223 that places such huge financial burdens on our dog breeders.

Sincerely,

Polly Britton